THE

TRIALS

OF

ARTHUR THISTLEWOOD, JAMES INGS, JOHN THOMAS BRUNT, RICHARD TIDD, WILLIAM DAVIDSON,

AND OTHERS,

FOR

High Treason.

AT THE SESSIONS HOUSE IN THE OLD BAILEY,

ON

Monday the 17th,
Tuesday the 18th,
Wednesday the 19th,
Friday the 21st,
Saturday the 22nd,
Monday the 24th,
Tuesday the 25th,
Wednesday the 26th,
Thursday the 27th, and
Friday the 28th of

APRIL, 1820:

WITH THE ANTECEDENT PROCEEDINGS.

IN TWO VOLUMES:—VOL. I.

TAKEN IN SHORT-HAND BY

WILLIAM BRODIE GURNEY,

Short Hand Writer to both Houses of Parliament.

London:

SOLD BY J. BUTTERWORTH AND SON, FLEET-STREET.

1820.

H. TEAPE, PRINTER, TOWER-HILL, LONDON.



THE

TRIALS

OF

ARTHUR THISTLEWOOD,

AND OTHERS,

FOR

High Treason.

On the 8th day of March, 1820, a Special Commission of *Oyer* and *Terminer* was issued under the Great Seal, to enquire of High Treasons and Misprisions of High Treason, other than such as relate to the coin: of the murder of one Richard Smithers, deceased, and of any other crime or offence touching the death of the said Richard Smithers; and of any offences touching, or concerning the persons of Frederick Fitz-Clarence, William Legg, James Ellis, John Surman, William Westcoatt, William Charles Brooks, John Muddock, and Benjamin Gill, or any of them, contrary to the form of an Act passed in the 43rd Geo. III. entitled, "An Act for the further prevention of malicious "shooting, and attempting to discharge loaded fire-arms, "stabbing, cutting, and wounding," &c.

On Monday, the 27th of March, the Special Commission was opened at the Session House on Clerkenwell Green.

PRESENT,

The Right Honorable Sir Charles Abbott, Knt. Lord Chief Justice of His Majesty's Court of King's Bench, The Right Honorable Sir Robert Dallas, Knt. Lord Chief Justice of His Majesty's Court of Common Pleas, and others His Majesty's Justices, &c.

After the Commission had been read the Sheriff delivered in the panel of the Grand Jury, when the following Gentlemen were sworn:—

The Grand Jury.

Job Raikes, Esq. Foreman,

John Stock, Esq.
Thomas M'Ilroy, Esq.
Robert Batson, Esq.
William Hills, Gent.
Henry Thompson, Brewer,
Richard Gibbs, Esq.
Thomas Lermette, Esq.
James Gordon, Esq.
William Anderson, Esq.
William Parry, Esq.
John Booth, Esq.

John Henry Pakenham, Esq.
John Warren, Gent.
George Frederick Young, Ship Builder,
Robert Meacock, Gent.
Richard Jennings, Esq.
James Taylor, Esq.
John Johnson, Esq.
Francis Douce, Esq.
John William Horsley, Esq.
William Venning, Gent.

Stephen Taylor, Esq.

Charge.

Lord Chief Justice ABBOTT.

Gentlemen of the Grand Inquest,

We are assembled in this place under the authority of his Majesty's Special Commission, issued for the purpose of inquiring into and hearing and determining certain offences therein particularly mentioned:

These offences are,

First, All High Treasons, except such as relate to the coin:

Secondly, Misprisions of Treason:

Thirdly, The murder of one Richard Smithers, deceased, and any other crime or offence touching the death of that person:

Fourthly, All offences against the persons of Frederick Fitz-Clarence, William Legg, James Ellis, John Surman, William Westcoatt, William Charles Brooks, John Muddock, and Benjamin Gill, or any of them, contrary to the form of an Act passed in the 43d year of the reign of his

late Majesty, for, among other purposes, the purpose of the further prevention of malicious shooting and attempting to discharge loaded fire-arms, stabbing, cutting, and wounding.

And, Gentlemen, it is become my duty to offer to your consideration some remarks upon each of these subjects, for your assistance in the discharge of the important duty, that will presently devolve upon you, when bills of indictment shall be laid before you.

The particular kinds of Treason, to which it may be proper for me to call your attention on the present occasion, are to be found in part in the ancient Statute of the 25th year of the reign of King Edward the Third, and in part in a Statute, passed for very wise purposes in our own time, namely, in the 36th year of the reign of his late Majesty. By the first of these Statutes, it is declared to be Treason, when a man doth compass or imagine the death of our Lord the King: or if a man do levy war against our Lord the King in his realm. By the latter Statute it is enacted, That if any person shall, within the realm or without, compass, imagine, invent, devise, or intend, death or destruction, or any bodily harm tending to death or destruction, maim or wounding, imprisonment or restraint, of the person of our Lord the King; or to deprive or depose him from the style, honour, or kingly name of the imperial crown of this realm, or of any other his Majesty's dominions or countries; or to levy war against his Majesty within this realm, in order by force or constraint to compel him to change his measures or counsels; or in order to put any force or constraint upon, or overawe both Houses or either House of Parliament; every person so offending shall be deemed and adjudged to be a Traitor. You will have observed, Gentlemen, that in each of the descriptions of offence that I have enumerated, except the levying war mentioned in the ancient Statute, the crime is made to consist in the compassing, imagination, or intention, (which are all words of the same import) to perpetrate the acts, and not in the actual perpetration of them. But then it is further required, by the ancient Statute, that the party accused of the crime shall be

thereof proveably attainted of open deed; and by the late Statute, that the party shall express, utter, or declare his intention, by publishing some printing or writing, or by some overt act or deed. The law has wisely provided, because the public safety requires, that in cases of this kind, which manifestly tend to the most extensive public evil, the intention shall constitute the crime; but it has at the same time with equal wisdom provided, because the safety of individuals requires, that the intention shall be manifested by some act of the party tending toward the accomplishment of the criminal object proposed.

It may be proper for me to mention to you, Gentlemen, that before the passing of the late Statute it had been settled, by several cases actually in judgment, and by the opinions of the Text-writers on this branch of the law, that all attempts to depose the King from his royal state and title, to restrain his person, or to levy war against him, and all conspiracies, consultations and agreements for the accomplishment of these objects, were overt acts of compassing and imagining the death of the King. By the late Statute, the compassing or intending to commit these acts, that is, to depose his Majesty, to restrain his person, or to levy war against him for the purposes that I have mentioned, is made a substantive treason; and thereby the law is rendered more clear and plain, both to those who are bound to obey it, and to those who may be engaged in the administration of it. It may be proper for me also to mention, that it has been established, in the like manner, that the pomp and circumstances of military array, such as usually attend regular warfare, are by no means necessary to constitute an actual levying of war, within the true meaning of the ancient Statute. Insurrections and risings for the purpose of effecting, by force and numbers, however ill arranged, provided or organized, any innovation of a public nature, or redress of supposed public grievances, in which the parties had no special or particular interest or concern, have been deemed instances of the actual levying of war; and, consequently, to compass or imagine such an insurrection, in

order, by force and numbers, to compel His Majesty to alter His measures or counsels, will be to compass or imagine the levying of war against His Majesty for that purpose, within the just meaning of the late Statute. Rebellion at its first commencement is rarely found in military discipline or array, although a little success may soon enable it to assume them.

I have already intimated, that any act manifesting the criminal intention, and tending toward the accomplishment of the criminal object is, in the language of the law, an overt act. It will be obvious, that overt acts may be almost infinitely various; but in cases where the criminal object has not been accomplished, the overt acts have frequently consisted of meetings, consultations, and conferences about the object proposed, and the means of its accomplishment; agreements and promises of mutual support and assistance; incitement to others to become parties to and engage in the scheme; assent to proposed measures; or the preparation of weapons or other things deemed necessary to their fulfilment. All these, and other matters of the like nature, are competent overt acts of the particular kind of treason, of the particular compassing and imagination, to which they may happen to apply.

In this crime of High Treason the law acknowledges no accessaries; all who become partakers in the project, in any way, or at any time, are considered as principals. And in conspiracies of a treasonable nature, as well as in inferior conspiracies, it will be found almost universally to happen, that some persons are active in forwarding one part of the means of executing the design, others another part; some are more zealous and ardent, others more cool and reserved; some engage themselves in an earlier, others in a later, stage of the business; but the act of each individual, in pursuance and prosecution of the general design, is considered as the act of all who become privy and consenting to the design, although it may take place out of their presence, or even before they have engaged themselves in the design; because by their subsequent engagement, they adopt all, that may have been previously done toward the promotion of

that object, which they ultimately engage to accomplish; all, I mean, that strictly and properly relates to the forwarding and fulfilment of that object.

From what has been said, Gentlemen, it will appear that the overt acts of any alleged treason are most important matters in a judicial investigation; and the law requires in favour of the accused, that the overt acts, by the proof whereof the accusation is to be supported, shall be set forth on the indictment, in order that he may have notice of them, and be prepared for his defence. But it is not required that all the articles, circumstances, and matters, to be given in evidence be displayed on the indictment; it is enough that the act, whether of meeting, consultation, incitement, consent, preparation, or other matter, be charged with convenient certainty, leaving the proof of the act to be made out by suitable testimony in this as in other cases. It is further required by Statute, that there shall be two witnesses to prove the treason; not two to one and the same overt act; but either two to one and the same overt act; or one to one overt act, and another to another overt act, of the same species of treason.

I should add, Gentlemen, that some one overt act must be proved to have taken place in the county wherein the bill of indictment is preferred, that is, in the present instance in the county of Middlesex. If this be done, the proof of other overt acts in other counties is to be received as competent to sustain the indictment. And if several overt acts be charged, satisfactory proof of any one in the proper county is sufficient.

Having made these general observations to you, Gentlemen, it will be expected, that I should now advert in some manner to the particular case that is likely to become the subject of your inquiry. It is not my purpose, however, to enter into any detail of particulars upon this subject to the extent even of the limited knowledge that I now possess. Such detail is not necessary to your guidance, and might by possibility operate injuriously upon the persons accused. It is, however, proper for me to mention to you, the substance and general outline of the matters of fact that are

likely to be laid before you, in order that my observations upon the law, as applicable to these or the like matters, may be rendered intelligible. I will, therefore, mention to you, Gentlemen, that it has been supposed (and for the present you will consider what I am about to say as supposition only,) it has been supposed, that a conspiracy was formed to assassinate the several persons chiefly intrusted by his Majesty with the administration of the affairs of his government, when they should be assembled at a dinner at the house of one of them on the 23d of February last; and that other and more extensive measures of treasonable hostility against the existing government and constitution of this country were in the view of the conspirators, to accompany and follow this intended assassination; and further that, this design having been by some means discovered, several persons supposed to be assembled for its almost immediate perpetration, were found together, in a stable or loft in an obscure street, with arms and offensive weapons suitable to the accomplishment of the proposed assassination, and perhaps of other and traitorous purposes also; that these persons resisted the peace officers, by whom they were found, and the military who came to the aid of the officers; and that in the course of their resistance and endeavours to escape (which as to many of them were for that time at least successful) Richard Smithers, one of the persons named in this commission, lost his life, by the act of one of those whom it was intended to arrest; and that pistols were discharged and weapons pointed against some or all of the other persons therein also named. Of these matters, or such as these, you have all, Gentlemen, without doubt, previously heard and read; and I therefore take the liberty most earnestly to caution you to confine your attention, on the present occasion to the evidence that may be laid before you, and to banish from your minds all such information as you may have previously received, either as to the nature or object of the supposed conspiracy, or to the conduct or character of the particular individuals supposed to have been engaged in it, or to have been actors in these transactions.

Upon the law as applicable to these supposed matters of

fact, I should tell you, that a conspiracy to murder a number of individuals, whether in a private or public station, or however high or important the public station may happen to be, grounded only upon private malice harboured against them in the minds of the conspirators, and intended only for the gratification of private revenge, and not meant to be accompanied or followed by any other act or matter, or intended to bring about any other object of a public nature, however odious and criminal such a conspiracy may be, does not constitute in law the offence of high treason. But if the assassination be meant as the signal for or commencement of a tumultuous insurrection of large numbers of persons expected to join the conspirators, and intended by force and numbers to take the government of the country into the hands of the leaders, or to compel the Sovereign to adopt such measures as they may think fit to dictate to him, then the conspiracy for the assassination will assume a different complexion and character, and may be an overt act of one or both of those species of treason, which consist in an intention to depose the King, or to levy war against him for one of the purposes before mentioned, and also of compassing His death; because we know from experience, that the death of a sovereign has been the usual consequence of his deposition; and every person may reasonably be presumed to contemplate and intend the probable and natural consequences of his own act, until the contrary be clearly shewn. If therefore, Gentlemen, a conspiracy to take away the lives of His Majesty's Ministers, either in the way that I have mentioned, or in any other manner, shall be proved before you, you will naturally look out for some evidence manifesting the object and purpose to be attained; and in weighing the nature and effect of such evidence, you will doubtless bear in mind, the number, rank and offices of the persons thus devoted to destruction. The difficulty of supposing an intended assassination to be grounded only upon private malice, and meant for the gratification of private revenge alone, without any further purpose or object, increases not only with the number of the conspirators, but also with the number of the intended victims: because

although history furnishes many examples of deep and deadly private malice and revenge, harboured by one person, and adopted or aided by his family, dependents and friends, against another person or his family or clan; yet I believe it will scarcely be found to furnish an instance of such malice of a private nature entertained by any considerable number of persons not connected with each other by blood or other bond of private union, and against any considerable number of other persons alike unconnected by any private circumstances of association. It is still more difficult to conceive a case of merely private revenge, limited and confined to the intended assassination alone, where the intended victims happen to be a number of persons conducting the administration of government, and not appearing to be known to the conspirators otherwise than by their public character offices and conduct. In such a case it is natural to suppose that the object in view must be of a public and of a more extensive nature, and not the mere gratification of vindictive feelings. But the facility of one supposition, and the difficulty of the other, must not supply the place of proof; they must only conduce to the reception of the proof that may be offered, and to the credibility of evidence tending to the manifestation of further and ulterior designs. Such further and ulterior designs, if they shall appear to be of the nature, to which I have alluded, and to relate to the usurpation of the government of this Nation, or of this Metropolis alone, in opposition to the constituted authorities of the realm, even for a season, will appear to the calm eye of sober reason to be wild and hopeless. But you, Gentlemen, know that rash and evil-minded men, brooding over their own bad designs, gradually diminish to their view the difficulties that belong to the accomplishment of their schemes, and magnify the advantages to be derived from them. And as it is the natural character of vicious men to think others not less vicious than themselves, those, who form wicked plans of a public nature, easily believe that they shall have numerous supporters, if they can manifest at once their designs and their power by striking some one important blow. This opinion also leads, in some

instances, to a rash and hasty communication of a wicked purpose to others, who are thought likely to adopt it and engage in its execution, but who in fact are not prepared to do so, and thereby occasionally furnishes evidence against those, by whom the purpose has been engendered and communicated. But dark and deep designs are seldom fully developed, except to those, who consent to become participators in them, and can therefore be seldom exposed and brought to light except by the testimony of accomplices. Such testimony is, as you, Gentlemen, well know, to be received on all occasions with great care and caution; it is to be carefully watched, deliberately weighed, and anxiously considered: it is competent in law to be received on all occasions; its credibility on each particular occasion depends on its own particular character, with reference to the matter which it regards, and the confirmation it may receive from pure and unsuspected quarters, and on the probability of the facts related, rather than the personal credit of the relator. He, who acknowledges himself to have become a party to a guilty purpose, does by that very acknowledgment depreciate his own personal character and credit. If, however, it should come to be laid down as a practical rule in the administration of justice, that the testimony of accomplices should be rejected as incredible, the most mischievous consequences must necessarily follow; because it must not only happen that many great crimes and offences will go unpunished, but also great encouragement will be given to bad men, by withdrawing from their minds the fear of detection and punishment through the instrumentality of their partners in guilt, and thereby universal confidence will be introduced in the place of that distrust of each other, which naturally belongs to men engaged in wicked purposes, and which operates as one of the most effectual restraints against the commission of crimes, to which the concurrence of several persons is required. No such rule is laid down by the law of this or of any other country. The credit of such testimony is by the law of this country submitted, in the first instance, to those who, like you, are called together to discharge the functions of a Grand Jury, and, if received

in the first instance, is then again submitted to the further and more perfect scrutiny of that other Jury, who are finally to pronounce upon the guilt or innocence of the accused, after having heard both him and his accusers.

II. Gentlemen, The next subject of inquiry, mentioned in this Commission, is the offence, denominated Misprision of Treason.

Misprision of Treason, by the common law, is said to be, "when a person knows of a Treason, though no party or "consenter to it, yet conceals it, and doth not reveal it in "convenient time."

In case of High Treason, as I have already mentioned, there are no accessaries, as in cases of felony; but all, who in any way consent to become parties to the crime, are considered as principal traitors. High Treason being an offence against the general safety of the State, it becomes every good and faithful subject, who may happen to have a knowledge of any traitorous design, to communicate his knowledge to some magistrate or other person in authority, in order that proper measures may be taken to defeat the design and to prevent its accomplishment.

The law, therefore, considers the wilful concealment of Treason to be an offence of very high magnitude, and has annexed to it very severe punishment; no less than the forfeiture of the goods of the criminal, the loss of the profits of his land during life, and imprisonment during life.

But in a case, that is to be followed with consequences so highly penal, there must, in order to constitute the crime, be a knowledge not only of the Treason, but of some at least of the traitors also.

He who has barely been informed of an intended insurrection, without any knowledge of particular circumstances or persons, does not become a criminal by forbearing to communicate what he has so vaguely heard.

And for the protection of persons accused of this crime, the statute requires that the Treason, supposed to be concealed, shall be proved by two witnesses, both of them to one overt act, or one of them to one, and another of them

to another act of the same Treason, as is required against those who are charged with the Treason itself.

If any Bill for this offence of Misprision shall be presented to you, it may be presumed that the Treason charged will be of the same kind, and arising out of the same matters as that upon which I have already addressed you.

You will understand, that it cannot be necessary to inquire into the knowledge or concealment, until you shall be first satisfied of the Treason; and if you shall be satisfied of that, then I have no doubt you will conduct the further inquiry with all the care and caution that a matter so highly penal requires at your hands.

Concealment, as you well know, is properly a negative act; and therefore, if the Treason and the knowledge of it be proved, and the knowledge shewn to have been had at such a time, and under such circumstances, as afforded a reasonable opportunity for discovery, the proof of a discovery lies properly upon the party charged, though there may possibly be circumstances on the one hand from which a discovery may be inferred; and on the other hand, there may be circumstances manifesting an intention to conceal, and consequently excluding any presumption in your minds in favour of the accused, though not excluding the proof of a discovery, before the jury, by whom the party may be tried, if he shall be able to offer it, when he comes to his defence against the charge.

The consideration of all such circumstances may, I am persuaded, Gentlemen, be very safely entrusted to you, so far as your duty extends, without further observation on my part.

III. The third subject of inquiry, Gentlemen, is the murder of Richard Smithers, or any other crime or offence touching the death of that person.

This is the name of the person who is supposed to have lost his life on the occasion of the attempt made to arrest some of those who are now in custody, under a charge of High Treason. It will therefore be material for you to direct your attention to the place, the time, and the circumstances under which that attempt to arrest was made.

The caution required by the law of England in the conduct of officers and ministers of justice proceeding to arrest for criminal matters persons who may happen to be in a *dwelling-house*, whereof the doors are closed, is confined to a dwelling-house alone. All other buildings, or places of meeting, may lawfully be opened and entered for the purpose of arresting criminals, without any notification of the purpose previously made, and the persons who may be found within, deriving no protection from the place where they are found, are bound to yield themselves upon the same demand or notification as if they were met with in the field or open street; and this need only be in the first instance a general notification of the character and purpose of the officers, conveyed in any words, or in any form or manner, that may be intelligible to those who hear or see them. If the persons thus required to submit desire further information as to the authority to which they are called upon to yield, it behoves them to demand it; for, if after such notification they fly to instant resistance, and to the use of deadly weapons, and happen to slay any of those to whom they are required to yield, they do so at their own peril; and provided their arrest would be lawful, then he by whom a death-wound may be inflicted, and all who unite with him in the resistance, become guilty of the crime of murder.

An arrest, under the authority of the warrant of a competent magistrate, for a criminal matter specified in the warrant, by any of the persons named therein, and by any others whom they may take to their aid, is a lawful arrest. So also is an arrest by peace officers, without warrant, for felony, or other higher crime actually committed or reasonably alleged to them to have been committed by the persons arrested. So likewise is an arrest by such officers of persons actually engaged in any breach of the peace; or of persons assembled, and arming, and preparing themselves for the immediate perpetration of murder, or other felony, because such assembling and preparation are in themselves criminal acts; and the arrest of the persons assembled may, in many cases, be absolutely necessary for the prevention of the accomplishment of their still more criminal purpose.

I have mentioned these instances of arrest and resistance, because I apprehend the cases likely to be submitted to your consideration will fall within one or other of them.

But, in order that no inference may be drawn from my silence on another topic, it seems proper also to add, that it must by no means be taken for granted, that persons required to yield themselves to officers of the peace, even in case the officers be not duly authorized to arrest them, may instantly and before any actual assault on their persons, and without warning to the officers to withdraw or stand off, attack with deadly weapons and slay the officers, without subjecting themselves to the crime of murder. A killing, under such circumstances, would undoubtedly be manslaughter at the least; and as the circumstances appear to denote a wicked heart, a mind grievously depraved, and acting from motives highly criminal, which is the general notion of malice in our law; such a case, if ever it shall unfortunately happen, will require grave and serious consideration.

In speaking of those who may become guilty of murder, by the slaying of an officer under the circumstances that I have mentioned, you will bear in mind, Gentlemen, that I used the expression, " all who unite in resistance with him who gave the death blow."

I used these words, because where several persons are assembled for any purpose, be it lawful or unlawful, and something wholly unexpected and foreign to the general design happens to occur on the sudden, upon which one or more fly to arms, and death ensues, those who take no part in such new and unexpected occurrence are not to be involved in the guilt of their companions, as they may be in the case of an unlawful act committed in furtherance and prosecution of their general design.

If, therefore, an indictment against several persons for this alleged murder shall be submitted to your consideration, you will attend to the conduct of the different individuals charged therewith throughout the whole course of the evidence that may be laid before you on such indictment; to their conduct before the meeting at that particular

place; to the act and manner of assembling in that place, and to their behaviour there, as well at the first appearance of the officers as afterwards, until the final arrest or escape of those who were originally assembled; and judge from the conduct of each how far, in your opinion, he may have concurred in that resistance, wherein the death of this person unfortunately ensued.

IV. Having said so much, Gentlemen, on the third subject of inquiry, very little remains to be added on the fourth and last.

This last, Gentlemen, comprises all offences against the persons of Frederick Fitz-Clarence, William Legg, James Ellis, John Surman, William Westcoatt, William Charles Brooks, John Muddock, and Benjamin Gill, contrary to the form of an Act passed in the 43d year of the reign of his late Majesty, the title whereof is set forth at length in the Commission So that you will observe, Gentlemen, the jurisdiction given by this Commission does not extend generally to all offences against the persons of the individuals before named, nor to all offences against the form of the Statute therein mentioned, but is limited to such offences against these persons as are contrary to the form of that Statute.

That Statute, Gentlemen, is the 58th chapter of the Statutes made in the 43d year of the reign of his late Majesty; and it is a Statute which has probably been brought under the view of many, if not all of you, on former occasions, so that I need trouble you the less upon it.

It is thereby enacted, that if any person or persons shall wilfully, maliciously, and unlawfully shoot at any of his Majesty's subjects, or shall wilfully, maliciously and unlawfully present, point or level any kind of loaded fire arms against any of his Majesty's subjects, and attempt by drawing a trigger, or in any other manner to discharge the same at or against his or their person or persons; or shall wilfully, maliciously and unlawfully stab or cut any of his Majesty's subjects, with intent in so doing, or by means thereof, to murder or rob, or to maim, disfigure or disable such subject or subjects, or with intent to resist or prevent the lawful

apprehension and detainer of the person or persons so stabbing or cutting, or the lawful apprehension and detainer of any of his, her, or their accomplice or accomplices, for any offences for which he, she, or they may respectively be liable by law to be apprehended, imprisoned, or detained; in every such case, the person or persons so offending, their counsellors, aiders and abettors, knowing of, and privy to, such offence, shall be declared to be felons without benefit of clergy.

There is, however, an express proviso or exception, (which probably would have been implied from the language of the enacting part itself) that if the act be committed under such circumstances as that if death had ensued therefrom, the same would not in law have amounted to the crime of murder, the person indicted shall be acquitted of the felony.

Now, Gentlemen, as the cases likely to be presented to your consideration upon this Statute will have arisen upon the occasion of the resistance made to the peace officers, and to the military or other persons who sooner or later came to their aid, to which I have already referred, it will be obvious to you, that the observations which I have already offered upon the subject of arrest and resistance, in relation to the death of Richard Smithers, may in general be applied to this part also of your inquiry, and it is unnecessary for me to repeat them here.

If there should be any instance of any of those malicious acts mentioned in the Statute committed, not in resistance of the intended arrest, or in the endeavour to escape, but wantonly and wilfully against the persons of any of the individuals named in the Commission, by any person not intended to be arrested, or who had so far effectually escaped as to be for the time out of all danger of immediate arrest, such act, if any such there be, can hardly be attributed to any other motive than a malicious design to murder, or do some grievous bodily harm to the person who was the object of it, and therefore can hardly fail to be a felonious act, within the description of this Statute, except, indeed, it shall appear to have been the hasty result of a contest with unlawful aggressors, wherein the blood may have been so far

heated as to reduce the crime to manslaughter, if death had ensued: but as I do not apprehend that any case of this nature is likely to come before you, I forbear to trouble you with any remarks upon it; being well assured, Gentlemen, that in this case, if it shall occur, as in all other parts of the important duty for which you are assembled, the best security for a due discharge of the trust reposed in you, is to be found in your own good sense, and in your own general knowledge, temper and discretion.

If, however, Gentlemen, any unexpected difficulty shall arise in the progress of your investigations, the Court will be at all times ready to assist you with such further advice as you may have occasion to require.

Gentlemen, having detained you so long, with such observations as I thought necessary to offer to your consideration, you will now, if you please, withdraw to your chamber, to consider of such Bills as may be laid before you.

On Tuesday March the 28th, the Grand Jury returned a true Bill against Arthur Thistlewood, William Davidson, James Ings, John Thomas Brunt, Richard Tidd, James William Wilson, John Harrison, Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper, for High Treason.

The Court, on the motion of Mr. Attorney General, ordered that the Sheriff should deliver to the Solicitor for the Prosecution, a list of persons qualified to serve on Juries upon Trials for High Treason to be returned for the Trial of the Defendants, and directed that notice should be given to each of the Prisoners, that an Indictment was found against him, and that on application to any of the Judges named in the Commission, Counsel would be assigned to him, and an order made for such Counsel and his Solicitor to have access; which notice was given accordingly.

On Wednesday the 29th of March, the Grand Jury returned a true Bill against Arthur Thistlewood, John Thomas Brunt, Richard Tidd, James William Wilson, John Harri-

son, and John Shaw Strange, for the murder of Richard Smithers.

A true Bill against Arthur Thistlewood, for maliciously shooting at William Westcoatt.

A true Bill against James Ings, for maliciously shooting at William Charles Brooks.

A true Bill against Richard Tidd, for maliciously shooting at William Legg.

A true Bill against James William Wilson, for drawing the trigger of a loaded pistol with intent to shoot John Muddock.

On the 3rd of April, Mr. Maule, Solicitor for the Treasury, delivered to each of the Prisoners a Copy of the Caption and of the Indictment for High Treason, a list of the Jury for their Trial, and a list of the Witnesses to be produced on their Trial for proving the said Indictment.

On Friday the 14th of April, Arthur Thistlewood, William Davidson, James Ings, John Thomas Brunt, Richard Tidd, James William Wilson, and John Harrison, were removed by Habeas Corpora from the Tower to Newgate, and Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper were delivered by the Governor of the House of Correction for the County of Middlesex into the Custody of the Keeper of Newgate.

SESSION OF GAOL DELIVERY OF NEWGATE,

HOLDEN AT THE

SESSIONS HOUSE, IN THE OLD BAILEY,

Saturday, April 15th, 1820.

PRESENT,

The Right Honourable Lord Chief Justice ABBOTT,
The Right Honourable Lord Chief Justice DALLAS,
The Right Honourable The Lord Chief Baron,
The Honourable Mr. Justice RICHARDSON,
The Common Serjeant.
And other His Majesty's Justices, &c.

The several Indictments found under the Special Commission, were delivered into Court with the following Caption :

Caption. Middlesex to wit BE IT REMEMBERED That at a Special Session of Oyer and Terminer of our Sovereign Lord The King of and for the county of Middlesex holden at the Session House on Clerkenwell Green in the said county on Monday the twenty-seventh day of March in the first year of the Reign of our Sovereign Lord George the Fourth by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith BEFORE the Right Honorable Sir Charles Abbott Knight Chief Justice of our said Lord the King assigned to hold Pleas before the King himself Sir Robert Dallas Knight Chief Justice of our said Lord the King of his Court of Common Pleas and others their Fellows Justices and Commissioners of our said Lord the King assigned by Letters Patent of our said Lord the King under his Great Seal of the United Kingdom of Great Britain and Ireland made to them and others and any two or more of them (of whom one of them the aforesaid Sir Charles Abbott and Sir Robert Dallas amongst others in the said Letters Patent named our

said Lord the King willed should be one) to enquire by the Oath of good and lawful Men of the County of Middlesex of all High Treasons and Misprisions of High Treason (other than such as relate to the Coin) and of the murder of one Richard Smithers deceased and of any other Crime or Offence touching the Death of the said Richard Smithers and of any Offence or Offences against touching or concerning the Persons of Frederick Fitz-Clarence William Legg James Ellis John Surman William Westcoatt William Charles Brooks John Muddock and Benjamin Gill or any of them contrary to the form of an Act made and passed in the forty-third year of the Reign of his late Majesty King George the Third intituled "An act for the further Prevention of malicious shooting and attempting to discharge loaded Fire Arms stabbing cutting wounding poisoning and the malicious using of means to procure the Miscarriage of Women and also the malicious setting fire to Buildings and also for repealing a certain Act made in England in the twenty-first year of the late King James the First intituled 'An act to prevent the destroying and murthering of Bastard Children' and also an Act made in Ireland in the sixth year of the reign of the late Queen Anne also intitutled 'An Act to prevent the destroying and murthering of Bastard Children' and for making other Provisions in lieu thereof" and also the Accessaries of them or any of them within the county aforesaid as well within liberties as without by whomsoever and in what manner soever done committed or perpetrated when how and after what manner And of all other Articles and Circumstances concerning the Premises and every or any of them in any manner whatsoever and the said Treasons and other the Premises according to the Laws and Customs of England for this time to hear and determine by the Oath of Job Raikes esquire John Stock esquire Thomas Milroy esquire Robert Batson esquire William Hills gentleman Henry Thompson brewer Richard Gibbs esquire Thomas Lermette esquire James Gordon esquire William Anderson esquire William Parry esquire John Booth esquire John Henry Pakenham esquire John Warren gentleman George

Frederick Young shipbuilder Robert Meacock gentleman Richard Jennings esquire James Taylor esquire John Johnson esquire Francis Douce esquire John William Horsley esquire William Venning gentleman and Stephen Taylor esquire good and lawful men of the county aforesaid now here sworn and charged to enquire for our said Lord the King for the body of the said county touching and concerning the Premises in the said Letters Patent mentioned It is presented in manner and form as followeth (that is to say)

Indictment for High Treason. Middlesex to wit The Jurors for our Lord The King upon their Oath present That *Arthur Thistlewood* late of the parish of Saint Clement Danes in the county of Middlesex gentleman *William Davidson* late of the parish of Saint Marylebone in the county of Middlesex labourer *James Ings* late of London labourer *John Thomas Brunt* late of the parish of Saint Andrew Holborn in the county of Middlesex labourer *Richard Tidd* late of the parish of Saint Andrew Holborn in the county of Middlesex labourer *James William Wilson* late of the parish of Saint Marylebone in the county of Middlesex labourer *John Harrison* late of the parish of Saint Marylebone in the county of Middlesex labourer *Richard Bradburn* late of the parish of Saint Giles-in-the-Fields in the county of Middlesex labourer *John Shaw Strange* late of London labourer *James Gilchrist* late of London labourer and *Charles Cooper* late of London labourer Being Subjects of our said Lord the King not having the fear of God in their hearts nor weighing the duty of their Allegiance but being moved and seduced by the instigation of the Devil as false Traitors against our said Lord the King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and faithful Subject of our said Lord the King should and of right ought to bear towards our said Lord the King on the fifth day of February in the first year of the Reign of our said present Sovereign Lord George the Fourth by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and on divers other Days and Times

as well before as after with Force and Arms at the parish of Saint Marylebone in the county of Middlesex maliciously and traitorously amongst themselves and together with divers other false Traitors whose names are to the said Jurors unknown did compass imagine invent devise and intend to deprive and depose our said Lord the King of and from the Style Honour and Kingly Name of the Imperial Crown of this Realm and the said Compassing Imagination Invention Device and Intention did then and there express utter and declare by divers overt Acts and Deeds hereinafter mentioned that is to say IN ORDER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire and consult amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to devise arrange and mature plans and means to subvert and destroy the Constitution and Government of this Realm as by Law established AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet

conspire consult and agree amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to stir up raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to assassinate kill and murder divers of the Privy Council of our said Lord the King employed by our said Lord the King in the Administration of the Affairs and Government of this Kingdom AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did procure provide and have divers large Quantities of Arms to wit Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes Pikehandles and Pikeheads and divers large Quantities of Ammunition to wit Gunpowder Leaden Bullets Slugs

and Handgrenades with intent therewith to arm themselves and other false Traitors in order to assassinate kill and murder divers of the Privy Council of our said Lord the King employed by our said Lord the King in the Administration of the Affairs and Government of this Kingdom AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did procure provide and have divers large Quantities of Arms to wit Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes Pikehandles and Pikeheads and divers large Quantities of Ammunition to wit Gunpowder Leaden Bullets Slugs and Handgrenades with intent therewith to arm themselves and other false Traitors in order to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established AND FURTHER TO FULFIL perfect and bring to effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other

false Traitors whose names are to the said Jurors unknown to seize and take possession of divers Cannon Warlike Weapons Arms and Ammunition in divers places deposited and being with intent by and with the said Cannon Warlike Weapons Arms and Ammunition to arm themselves and other false Traitors and to raise levy and make Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other false Traitors whose names are to the said Jurors unknown to set fire to burn and destroy divers Houses and Buildings in and in the neighbourhood of London and divers Barracks of our said Lord the King used for the reception and residence of the Soldiers Troops and Forces of our said Lord the King and to provide and prepare divers Combustibles and Materials for the purpose of setting fire to burning and destroying the said Houses Buildings and Barracks AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid and

on divers other Days and Times as well before as after with Force and Arms at the said Parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did compose and prepare and cause and procure to be composed and prepared with intent to publish the same divers Addresses Proclamations Declarations and Writings containing therein solicitations and incitements to the liege Subjects of our said Lord the King to aid and assist in making and levying Insurrection Rebellion and War against our said Lord the King within this Realm and in subverting and destroying the Constitution and Government of this Realm as by Law established AND FURTHER TO FULFIL perfect and bring to effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said fifth day of February in the first year of the Reign aforesaid with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did compose and prepare and cause and procure to be composed and prepared a certain Paper Writing purporting to be an Address to the liege Subjects of our said Lord the King containing therein that their Tyrants were destroyed and that the Friends of Liberty were called upon to come forward as the Provisional Government was then sitting with intent to publish the same and thereby to solicit and incite the liege Subjects of our said Lord the King to aid and assist in making and levying Insurrection Rebellion and War against our said Lord the King within this Realm and in subverting and destroying the Constitution and Government of this Realm as by Law established AND FURTHER TO FULFIL perfect and bring to Effect their most Evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John

Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the twenty-third day of February in the first year of the Reign aforesaid with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously together with divers other false Traitors whose names are to the said Jurors unknown did assemble themselves with Arms that is to say with Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes and other Weapons with intent to assassinate kill and murder divers of the Privy Council of our said Lord the King employed by our said Lord the King in the Administration of the Affairs and Government of this Kingdom and to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as aforesaid on the said twenty-third day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said Parish of Saint Marylebone in the said county of Middlesex together with divers other false Traitors whose names are to the said Jurors unknown armed and arrayed in a warlike manner that is to say with Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes and other Weapons maliciously and traitorously did ordain prepare levy and make public War against our said Lord the King within this Realm in contempt of our said Lord the King and his Laws to the evil example of all others contrary to the Duty of the Allegiance of them the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn

John Shaw Strange James Gilchrist and Charles Cooper against the form of the Statute in such case made and provided and against the Peace of our said Lord the King his Crown and Dignity

[*Second Count.*]—And the Jurors aforesaid upon their Oath aforesaid do further present That the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper being Subjects of our said Lord the King not having the Fear of God in their Hearts nor weighing the Duty of their Allegiance but being moved and seduced by the Instigation of the Devil as false Traitors against our said Lord the King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and faithful Subject of our said Lord the King should and of right ought to bear towards our said Lord the King on the fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown did compass imagine and intend to move and excite Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and alter the Legislature Rule and Government now duly and happily established within this Realm and to bring and put our said Lord the King to death [*The Indictment then states the same eleven Overt Acts charged in the first Count*]

[*Third Count.*]—And the Jurors aforesaid upon their Oath aforesaid do further present That the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper being Subjects of our said Lord the King not having the fear of God in their Hearts nor weighing the Duty of their Allegiance but being moved and seduced by the Instigation of the Devil as false Traitors against our said Lord the

King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and Faithful Subject of our said Lord the King should and of Right ought to bear towards our said Lord the King on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown did compass imagine invent devise and intend to levy War against our said Lord the King within this Realm in order by Force and Constraint to compel him to change his Measures and Counsels and the said last-mentioned Compassing Imagination Invention Device and Intention did then and there express utter and declare by divers overt Acts and Deeds hereinafter mentioned (that is to say) IN ORDER TO FULFIL perfect and bring to effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said Parish of Saint Marylebone in the said County of Middlesex maliciously and traitorously did assemble meet conspire and consult amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to devise arrange and mature Plans and Means by Force and Constraint to compel our said Lord the King to change His Measures and Counsels AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last

aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said Parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to stir up raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm AND FURTHER TO FULFIL perfect and bring to effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to assassinate kill and murder divers of the Privy Council of our said Lord the King employed by our said Lord the King in the Administration of the Affairs and Government of this Kingdom AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did procure provide and have divers large Quantities of Arms to wit Guns Muskets Blunderbusses Pistols

Swords Bayonets Pikes Pikehandles and Pikeheads and divers large Quantities of Ammunition to wit Gunpowder Leaden Bullets Slugs and Handgrenades with intent therewith to arm themselves and other false Traitors in order to assassinate kill and murder divers of the Privy Council of our said Lord the King employed by our said Lord the King in the Administration of the Affairs and Government of this Kingdom AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did procure provide and have divers large quantities of Arms to wit Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes Pikehandles and Pikeheads and divers large quantities of Ammunition to wit Gunpowder Leaden Bullets Slugs and Handgrenades with intent therewith to arm themselves and other false Traitors in order to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with di-

vers other false Traitors whose names are to the said Jurors unknown to seize and take possession of divers Cannon Warlike Weapons Arms and Ammunition in divers places deposited and being with intent by and with the said Cannon Warlike Weapons Arms and Ammunition to arm themselves and other false Traitors and to raise levy and make Insurrection Rebellion and War against our said Lord the King within this Realm AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to set fire to burn and destroy divers Houses and Buildings in and in the neighbourhood of London and divers Barracks of our said Lord the King used for the reception and residence of the Soldiers Troops and Forces of our said Lord the King and to provide and prepare divers Combustibles and Materials for the purpose of setting fire to burning and destroying the said Houses Buildings and Barracks AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said fifth day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously

and traitorously did compose and prepare and cause and procure to be composed and prepared with Intent to publish the same divers Addresses Proclamations Declarations and Writings containing therein Solicitations and Incitements to the liege Subjects of our said Lord the King to aid and assist in making and levying Insurrection Rebellion and War against our said Lord the King within this Realm AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said twenty-third day of February in the first year of the Reign aforesaid with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex maliciously and traitorously together with divers other false Traitors whose Names are to the said Jurors unknown did assemble themselves with Arms (that is to say) with Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes and other Weapons with Intent to assassinate kill and murder divers of the Privy Council of our said Lord the King employed by our said Lord the King in the Administration of the Affairs and Government of this Kingdom and to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm AND FURTHER TO FULFIL perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing Imagination Invention Device and Intention last aforesaid they the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper as such false Traitors as last aforesaid on the said twenty-third day of February in the first year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint Marylebone in the said county of Middlesex together with divers other false Traitors whose Names are to the said Jurors unknown armed and arrayed in a warlike

manner (that is to say) with Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes and other Weapons maliciously and traitorously did ordain prepare levy and make Public War against our said Lord the King within this Realm in contempt of our said Lord the King and His Laws to the evil example of all others contrary to the Duty of the Allegiance of them the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper against the form of the Statute in such case made and provided and against the Peace of our said Lord the King his Crown and Dignity

[*Fourth Count.*]—And the Jurors aforesaid upon their Oath aforesaid do further present That the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper being Subjects of our said Lord the King not having the fear of God in their Hearts nor weighing the Duty of their Allegiance but being moved and seduced by the Instigation of the Devil as false Traitors against our said Lord the King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and faithful Subject of our said Lord the King should and of right ought to bear towards our said Lord the King on the said twenty-third day of February in the first year of the Reign aforesaid with Force and Arms at the said parish of Saint Marylebone in the said County of Middlesex together with divers other false Traitors whose Names are to the said Jurors unknown armed and arrayed in a Warlike Manner (that is to say) with Guns Muskets Blunderbusses Pistols Swords Bayonets Pikes and other Weapons being then and there unlawfully maliciously and traitorously assembled and gathered together against our said Lord the King most wickedly maliciously and traitorously did levy and make War against our said Lord the King within this Realm and did then and there maliciously and traitorously attempt and endeavour by Force and Arms to subvert and destroy the Constitution and Government of this Realm as by Law established and

to deprive and depose our said Lord the King of and from the Style Honour and Kingly Name of the Imperial Crown of this Realm in contempt of our said Lord the King and His Laws to the evil Example of all others contrary to the Duty of the Allegiance of them the said Arthur Thistlewood William Davidson James Ings John Thomas Brunt Richard Tidd James William Wilson John Harrison Richard Bradburn John Shaw Strange James Gilchrist and Charles Cooper against the Form of the Statute in such Case made and Provided and against the Peace of our said Lord the King His Crown and Dignity.

The Prisoners, Arthur Thistlewood, William Davidson, James Ings, John Thomas Brunt, Richard Tidd, James William Wilson, John Harrison, Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper, being put to the Bar and arraigned upon this indictment, severally pleaded Not Guilty, with the exception of Wilson, and for their Trial put themselves upon God and their Country. James Ings, however, in the first instance, to the question, —"How will you be tried?" having answered "By the laws of Reason,"—on the Governor of Newgate remonstrating with him, he replied, "By God and my Country —the laws of Reason are the laws of my country."

Wilson refused to answer to the name of James William Wilson, stating that his name was James Wilson, and tendered a plea of Misnomer which was verified by his affidavit: the plea was directed by the Court to be recorded, and time was given to the Attorney General to reply.

Arthur Thistlewood, John Thomas Brunt, Richard Tidd, James William Wilson, John Harrison, and John Shaw Strange, were arraigned on the indictment for the murder of Richard Smithers. Wilson again pleaded in abatement his misnomer; the others pleaded Not Guilty.

Ings. My Lord, I wish to know how we are going to be tried, whether together or separately? My wish is to be tried separately; I know I can clear up the charges made against me.

Lord Chief Justice Abbott. Probably you will have

that opportunity; but this is not the proper time to make application: by and by it will be attended to.

Arthur Thistlewood, William Davidson, James Ings, Charles Cooper, Richard Tidd, John Shaw Strange, Richard Bradburn, James Wilson, and James Gilchrist, were arraigned, on the Coroner's Inquisition, for the murder of Richard Smithers, and severally pleaded not guilty.

Arthur Thistlewood was arraigned on the indictment charging him with maliciously shooting at William Westcoatt, to which he pleaded not guilty.

James Ings was arraigned on the indictment charging him with maliciously shooting at William Charles Brooks, to which he pleaded not guilty.

Richard Tidd was arraigned on the indictment charging him with maliciously shooting at William Legg, to which he pleaded not guilty.

James William Wilson was arraigned on the indictment charging him with drawing the trigger of a loaded pistol, with intent to shoot John Muddock, to which he again pleaded in abatement his misnomer.

At the request of the several Prisoners the following gentlemen were assigned by the Court, as their Counsel:—For Arthur Thistlewood, William Davidson, James Ings, John Thomas Brunt, Richard Tidd, and James William Wilson, Mr. Curwood, and Mr. Adolphus. For John Harrison, Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper, Mr. Walford, and Mr. Broderick.

Mr. Attorney General. My Lord, the gentlemen who are assigned as Counsel for the Prisoners, having intimated that it is the intention of the Prisoners to challenge separately, I am under the necessity of desiring that they may be tried separately. I propose beginning with the trial of Arthur Thistlewood, on the indictment for High Treason, on Monday morning.

Lord Chief Justice Abbott. Let the Prisoner Thistlewood be informed, that his Trial for High Treason will commence on Monday morning, at nine o'clock.

The Prisoner Thistlewood was informed accordingly, by the Clerk of Arraigns.

THE

TRIAL

OF

ARTHUR THISTLEWOOD.

SESSIONS HOUSE, OLD BAILEY,

Monday, 17*th April*, 1820.

PRESENT,

The Right Honorable Lord Chief Justice ABBOTT.
The Right Honorable Lord Chief Justice DALLAS.
The Right Honorable the Lord Chief Baron.
The Honorable Mr. Justice RICHARDSON.
The Common Serjeant.
And others His Majesty's Justices, &c.

Counsel for the Crown.

The ATTORNEY GENERAL,
The SOLICITOR GENERAL,
Mr. GURNEY,
Mr. LITTLEDALE,
Mr. REYNOLDS.
Mr. BOLLAND.

Solicitor.

GEORGE MAULE, Esq. Solicitor for the Affairs of his Majesty's Treasury.

Counsel for the Prisoner.

Mr. CURWOOD,
Mr. ADOLPHUS.

Solicitor.

Mr. JAMES HARMER.

The Court being opened, Arthur Thistlewood was set to the bar.

The Jurors returned by the Sheriff were called over, when it was ascertained that the following were not Freeholders of the County of Middlesex to the amount of £10. a year.

George Reid, Esquire.
James Hammon, Plumber.
Charles Bowen, Esquire.
George Lavell, Grocer.
Joseph Monyard, Gentleman.
John Outhwaite, Rope-maker.
Thomas Snock, Shipwright.
Thomas Savage, Watchmaker.
John Page, Shipwright.
Robert Holding, Esquire.
Thomas Lambert, Builder.
Samuel Smith, Esquire.
William Atlee, Carpenter.
William Young, Esquire.
William Laurence, Baker.
Valentine Labrow, Druggist.
Francis Search, Feather-dresser.
Peter Fish, Leather cutter.
Thomas Barfoot, Gentleman.
John Summers, Esquire.
John Brough, Esquire.
Thomas Littlewood, Farmer.
Isaac Bryant, Timber-Merchant.
James Ariel, Watchmaker.
James Whiskin, Painter.
Joseph Warren, Gentleman.
Job Leader, Joiner.
William Anderson, Gentleman.
William Meredith, Watchspring-maker.
Edward Horsfall, Gentleman.
Thomas Beach, Market-gardener.
James Cooper, Japanner.
William Fountain, Silversmith.
Michael Bourne, Milkman.

John Lee, Stationer.
John Thomas Gunn, Coachmaker.
Thomas Hollings, Lighterman.
John Cuppage, Esquire.
Henry Lawson, Esquire, and Piano-Forte Maker.
Charles Neat, Teacher of Music.
Thomas Gabriel, Esquire.
George Duplex, Victualler.
James Huson, China-man.
John Lockett, Gentleman and Tavern keeper.
John Harrington, Dyer.
George Murry, Gentleman.

The following Jurors were excused.

Edward Hughes, Gentleman, on account of illness.
Edward Grant, Cowkeeper, on account of illness.
William Stark, Gentleman, not properly described in the panel.
Thomas Framton, Cheesemonger, on account of deafness.
William Juson, Rope-maker, on account of deafness.
Thomas Mitcheson; Cooper, on account of deafness.
Henry Ramsey, Boat-builder, on account of illness.
Robert Braine, Gentleman, on account of deafness.
James Thompson, Gentleman, on account of illness.
John Reynolds, Watch-chain maker, on account of deafness.
Joseph Clements, Market Gardener, on account of illness.
Alexander Ross, Esquire, on account of age and illness.
Thomas Austin, Esquire, on account of illness.
Thomas Phillips, Jeweller, not properly described in the panel.
William Winser, Gentleman, not summoned having removed.
Richard Norton, Gentleman, on account of age.
Robert Cranch, Gentleman, not properly described in the panel.

Thomas Garrett, Gentleman, on account of age.

Samuel Wimbush, Horse-dealer, for the present, not being prepared to depose whether he was a freeholder in his own right.

Robert Greaves, Gentleman, on account of illness.

John Bell, Esquire and Builder, not properly described in the panel.

Charles Jeffery, Gentleman, not properly described in the panel.

Patrick Bartlett, Esquire, not having received the summons in time.

Elijah Price, Gentleman, on account of age.

Wilkes Booth, Silversmith, not properly described in the panel.

Albert Gooch, Watchmaker, not having been served with the summons, being on a journey.

William Burges, Esquire, on account of age and illness.

Thomas Hasker, Timber-merchant, not properly described in the panel, his name being Hacker.

Thomas Holah, Esquire and Tea-dealer, on account of age and illness.

John Gould, Gentleman and Calico-printer, on account of illness.

Thomas Perry, Farmer, on account of age and deafness.

John Frasier, Gentleman, claimed his privilege as a practising Attorney and Solicitor which was allowed.

John Palmer, Gentleman, on account of illness.

Charles Cock, Toymaker, not summoned, no such person being known.

Thomas Cheveley, Ship-chandler, not summoned having removed out of the county.

Thomas Bedel, Esquire, on account of illness.

Henry Friend, Esquire, on account of illness.

Peter Robertson, Gentleman and Builder, on account of illness.

John Messerop, Grocer, not properly described in the panel, his name being Moscrop.

Henry Knevet, Market Gardener, on account of deafness.

Joseph Procter, Gentleman, not having received the summons.

William Forsyth, Esquire, on account of illness.

John Brooks, Springer and Liner, on account of illness.

Stafford Price, Gentleman and Currier, on account of illness in his family.

John Apple, Drug-grinder, on account of illness.

Prisoner. Will your Lordship be pleased to allow me a seat?

Lord Chief Justice Abbott. Considering the length of time the trial may be likely to occupy, the Court will allow you that indulgence.

The List having been gone through, the Defaulters were called over.

Samuel Littlepage, Baker, excused on account of illness.

John Westbrook, Brickmaker, fined for non-attendance, but the fine afterwards remitted on proof of illness.

John Smith, Undertaker, fined for non-attendance, but the fine afterwards remitted on his appearance.

The Jurors who had answered to their names were again called over.

William Blasson, Gentleman, challenged by the Crown.

Alexander Barclay, Gentleman and Grocer, sworn.

Thomas Lester, Bookseller, challenged by the Crown.

Joseph Sheffield, Esquire and Ironmonger, challenged by the Prisoner.

Thomas Goodchild, Esquire, sworn.

Joseph Haynes, Bricklayer, challenged by the Crown.

Robert Stephenson, Anchorsmith, challenged by the Crown.

Richard Blunt, Gentleman, challenged by the Prisoner.

Isaac Gunn, Baker, challenged by the Crown.

William Churchill, Gentleman and Wine-merchant, challenged by the Crown.

Thomas Suffield Aldersey, Esquire, sworn.

Thomas Wilkinson, Farmer, challenged by the Prisoner.

Samuel Fish, Tobacconist, challenged by the Prisoner.

Edmund Collingridge, Water-gilder, challenged by the Crown.

William Shore, Farmer, challenged by the Crown.

James Herbert, carpenter, sworn

John Shooter, Gentleman.

Mr. Shuter. My name is incorrectly spelt, I spell it Shuter.

Lord Chief Justice Abbott. The sound seems to me to be the same, that is no important variation as it appears to me.

Mr. Shuter was sworn.

Josiah Bartholomew, Watchmaker, challenged by the Prisoner.

John Jones, Carpenter, challenged by the Crown.

Thomas Bristow, Coachmaker, challenged by the Prisoner.

Samuel Granger, Lighterman, sworn.

George Dickenson, Builder, sworn.

Thomas Parkinson, Upholsterer, challenged by the Prisoner.

Thomas Ashton, Esq. and Ship-chandler, challenged by the Prisoner.

James Wilmot, Market Gardener, challenged by the Crown.

George Phillips, Jeweller, challenged by the Prisoner.

Thomas Bird, Distiller, challenged by the Prisoner.

William Johnson, Baker, challenged by the Crown.

John Edward Shephard, Gentleman, sworn.

Samuel Gould, Calico Printer, challenged by the Crown.

James Wadmore, Esquire, challenged by the Prisoner.

Thomas Brown, Oilman, challenged by the Prisoner.

George Allen, Brass Founder, challenged by the Prisoner.

William Reed, Esquire, challenged by the Prisoner.

George Davis, Cooper, challenged by the Prisoner.

John Farnell, Brewer, challenged by the Prisoner.

Jonathan Passingham, Farmer, challenged by the Crown.

Joseph Drake, Draper, challenged by the Prisoner.

John Fowler, Iron plate-worker, sworn.

Samuel Rhodes, Esquire, and Cow-keeper, challenged by the Prisoner.

William Gibbs Roberts, Cooper, sworn.

Richard Smith, Esquire, challenged by the Crown.

Joseph Pendered, Iron plate-worker, challenged by the Crown.

Thomas Garrett, Shipwright, challenged by the Crown.

Matthew Ashton, Coachmaster, challenged by the Prisoner.

Richard Hatchett, Esquire, and Farmer, challenged by the Prisoner.

John Dickenson, Builder, challenged by the Prisoner.

John Dobson, Esquire, sworn.

Thomas Dicks, Silversmith, challenged by the Crown.

Thomas Wood, Painter, challenged by the Prisoner.

James Gates, Joiner, challenged by the Prisoner.

Robert Wells, Farmer, challenged by the Crown.

William Fitby, Brickmaker, excused, not properly described in the panel, his name being Filby.

Edward Bracebridge, Watchmaker, challenged by the Crown.

John Jones, Stockbroker, challenged by the Crown.

Thomas Partridge, Farmer, challenged by the Prisoner.

Henry Hillard, Watch-gilder, not properly described in the panel, his name being Hilliard.

George Henn, Ship-chandler, challenged by the Crown.

Thomas Harby, Esquire, and Rope-maker, challenged by the Prisoner.

William Jarrett, Watch-engraver, challenged by the Prisoner.

John Bunting, Gentleman, and Tailor, challenged by the Crown.

William Dawes, Farmer, challenged by the Crown.

William Cooper, Gentleman, sworn.

The JURY.

Alexander Barclay,	George Dickenson,
Thomas Goodchild,	John Edward Shephard,
Thomas Suffield Aldersey,	John Fowler,
James Herbert,	William Gibbs Roberts,
John Shuter,	John Dobson,
Samuel Granger,	William Cooper.

Lord Chief Justice Abbott. As there are several persons charged by this Indictment whose trials may come on one after another, the Court thinks it necessary, for the furtherance of justice, strictly to prohibit the publication of the proceedings on this or any other trial, until all the trials shall be gone through. It is highly necessary, for the purposes of justice, that the public mind, or the minds of those who may be to serve on trials hereafter, may not be influenced by publications of any thing which takes place on the present trial; we hope all persons will observe this injunction,

The Jury were charged with the Prisoner in the usual form.

The Indictment was opened by Mr. Bolland.

Mr. ATTORNEY GENERAL.

May it please your Lordships.

Gentlemen of the Jury.

You are assembled to discharge one of the most important duties that can devolve upon a Jury—to decide upon the guilt or innocence of a party charged with the crime of High Treason; the highest offence known to the law. Upon such an occasion, I am satisfied it is unnecessary for me to ask for your patient attention to the statement which it will be my duty to make to you; still less to point out to you, the necessity of coming to the investigation with unbiassed and unprejudiced minds—of discharging from your recollection every thing you have heard or

read, relative to the charge preferred against the Prisoner, of confining your attention exclusively to the evidence which will be adduced in support of that charge, and of forming your conclusion upon that evidence alone.

Gentlemen, the charge, as I have stated to you, is one of the highest nature known to the law; other offences, generally speaking, however heinous and however enormous, terminate, except so far as example is concerned, with their perpetration, but High Treason, not only in its inception, but still more if it be successful, draws after it consequences of the most dreadful kind, not only affecting individuals, but the community at large.

Gentlemen, I shall not trouble you in the address that I have to make in the discharge of my duty, with any lengthened observations upon the law, as it applies to the crime imputed to the Prisoner, because, if I mistake not greatly, that law is so undisputed, and the facts which will be proved to you, will so clearly and satisfactorily establish the charge contained in the Indictment, that it would be an idle parade in me to refer either to the authority of decisions, or to the opinions of our ablest commentators upon the subject. If the Overt Acts laid in this Indictment, or a sufficient number of them, shall be satisfactorily proved, I will venture to state, no man who hears me will entertain the slightest doubt, that they will establish one or other of the Counts of this Indictment, and bring home to the Prisoner at the bar, the High Treason with which he stands charged.

Gentlemen, the four Counts in this Indictment will all be proved to you by the same evidence; and the evidence which establishes one, will, I believe, completely support the others. The offences charged are compassing and imagining the deposition of the king from his throne; compassing and imagining the death of the king: conspiring to levy war, in order to compel the king to change his measures, and levying war against the king. It is hardly necessary I should think, for me to state to you, that in proof of these charges it is not essential that the plans of the parties accused should aim directly and immediately either at the deposition or at the life of his Majesty, because if they were pointed against that form of

government which now exists, if they were intended to bring about a change in the established system by means of force, they naturally and obviously, in the event of their being successful, tended to effect the removal of the king from his kingly dignity, or the destruction of his life. It will therefore be quite sufficient for me to apprize you in the first instance, that the plans of the conspirators were of such description, and of such a nature, that though, in their primary operations, they were directed against the government, as they will indisputably be proved to have been, and not immediately aimed either at the destruction of the authority or the life of his Majesty, they would, in their consequences, inevitably lead to those results. And therefore, Gentlemen, not to bewilder you in the enquiry upon which you are about to enter, I think it quite sufficient in the outset to state to you, that in which I believe I shall be confirmed by the highest authority the law knows, when this case comes to be summed up to you, that if the overt acts, that is, the facts stated in this Indictment as indicating and evincing the traitorous intention of the conspirators shall be proved, they will establish the charge made in this Indictment. It is unnecessary therefore to trouble you at present with any further discussion of the the law, applicable to the charge.

Gentlemen, important and anxious as the duty is which you are called upon to discharge, mine, I may say, is no less so. In my address to you, my purpose, and I do assure you my only purpose, is to make you acquainted with the nature of the charge against the accused, and with the evidence by which that charge will be substantiated. It is neither my intention nor my wish to lead you to any conclusion which the evidence itself shall not warrant; for God knows, if the facts shall be proved, as I have every reason to believe they will be, they want no addition to bring the minds of any unprejudiced persons to the inevitable conclusion of guilt. My duty is to state to you fairly, as between the public and the unfortunate man at the bar, the case, as I expect it will be proved, without exaggeration on the one side, or timid reserve upon the other. If I should unconsciously err;—if, when the time arrives at

which you are to make up your minds upon the verdict you are to give, you shall think that either the statement I have laid before you has not been proved, or that the observations and inferences I have made and drawn are not borne out by the proof, dismiss them from your minds, and confine your attention to the evidence alone. But if you shall be satisfied that the statement I shall have made is supported by the facts; if you believe that the observations introduced in the course of that statement fairly and naturally arise out of those facts, then you will, as honest men, give to them that weight which they deserve.

Gentlemen, having said thus much, I shall without further preface call your attention as perspicuously and as briefly as I can to the circumstances which will be proved in evidence to substantiate the charge.

The prisoner at the Bar, Arthur Thistlewood, must be already known to you by name; but, as I have already said, let nothing that you have known or heard of him before you came into this Court to discharge the solemn duty you are to perform, have the least effect upon the verdict you are to pronounce. The Prisoner at the Bar has, I fear, for some time conceived the wicked and nefarious purpose of attempting to overturn the Government as by law established in this kingdom: and it will appear to you, that all the other persons included in this Indictment, and whose names will occur in the course of the investigation, were participators with him in this guilty design. Some of them, it is true, entered into the conspiracy at a later period than others, but all concurred in that act which was to be the commencement of the tragical operations they had in contemplation. At present, however, I shall call your attention more particularly to two of the prisoners, James Ings, and John Thomas Brunt.

The Prisoner at the Bar resided during the time of the transactions which I am about to relate to you, in Stanhope Street, Clare Market. Brunt was a shoemaker or boot-closer, living at a place which will be frequently mentioned in the course of this enquiry, Fox Court, Gray's Inn Lane; he inhabited two rooms in the second floor of a house

in that Court, in one of which his trade was carried on, and in the other he and his wife slept. His family consisted of his wife, a son, and an apprentice of the name of Hale.

Gentlemen, I shall not carry your attention very far back in the narrative of these transactions, it will be sufficient for me, in this statement, to call your attention to circumstances which took place from the close of January, until the 23d of the following month. It will appear to you, that long anterior to that period, the prisoner at the bar, the two persons I have mentioned, and several of the others whose names are included in this Indictment, had consulted together, and devised plans for the purpose of overturning the government. They had held frequent meetings at a public house called the White Hart, in Brook's-market, and in a room behind that public-house. At the latter end of the month of January, or the commencement of the month of February, they thought it prudent to remove their meetings from those places, and that it would be better that they should be carried on in the house in which Brunt resided, in Fox Court; and, to avoid suspicion, they contrived that another room in that house, and upon the same floor upon which Brunt lived, should be taken for the prisoner Ings, who, I believe, was by trade a butcher. Brunt and Ings, it will be proved to you, hired that room for the avowed purpose of a lodging for the prisoner Ings, but for the secret and real object of holding meetings there, at which they might devise their plans, and prepare the means for carrying them into execution, it being a place of more immediate security and more secrecy than they had previously been enabled to obtain.

Having prepared means for effectuating their plans, their meetings at the room in Brunt's house became more frequent and more numerous. Gentlemen, I here regret that I have in an English Court of Justice to state to you, the horrible plans which had entered into the minds of these conspirators, and the act with which they intended to commence the nefarious purpose they had in view. It was thought by Englishmen, that the assassination of all of his Majesty's ministers would be a proper commencement of the revolution which they wished to bring about; and you will

find, that they frequently deliberated and consulted upon the means by which that most wicked design was to be carried into execution. They entertained hopes that they should be enabled, at some meeting of his Majesty's ministers, to perpetrate the bloody deed—having effected that, they intended to set fire to various parts of this metropolis, to endeavour to obtain possession of the cannon at the artillery ground, and at the stable of the City Light Horse Volunteers, I believe in Gray's Inn Lane—to create as much confusion and dismay as they could by these various operations, and then to establish what in their vain expectations they had imagined themselves capable of erecting, a Provisional Government, the seat of which was to be at the Mansion House.

Gentlemen, they had frequent deliberations upon these plans. You will recollect his late most excellent Majesty died on the 29th of January. It was thought at one of the meetings, that the night of the King's funeral might be a proper time for them to commence the work of destruction. They had intimation that on that occasion the greater part of the troops quartered in the metropolis would be removed from it to Windsor, to attend the ceremony of his Majesty's interment; and they imagined that would be an opportune period for putting their schemes in execution. However, they abandoned that intention; they found that their plans embraced more objects than they had men to effect; and upon that night, therefore, they did not attempt the purpose they had in view. But, brooding over their nefarious machinations, many of these men became extremely impatient at the delay which was from time to time interposed between the present day and that which they thought would be the completion of their hopes, and you will find, that at a meeting which they held at Brunt's, on Saturday, the 19th of February, the impatience became so great, on the part of many of them, that they then determined to wait no longer; but that if no opportunity in the mean time should occur, of their being able to accomplish the assassination of his Majesty's ministers, by finding them all assem-

bled at the same house, at all events on the following Wednesday, the 23d, some blow should be struck, and that the revolution which they had in contemplation, should actually have its commencement.

Having thus determined, they appointed a meeting on the next day, the Sunday, at Brunt's house, for the purpose of forming a committee, upon whom should devolve the organization of the plan of operation, which was to be carried into effect on the ensuing Wednesday. At that meeting, and indeed at all the meetings, you will find it was the prisoner at the bar, who was the leader; he was one upon whom they mainly relied for the accomplishment of their object. You will find that he was generally the person who addressed them, who suggested the course of their proceedings, and in whose counsel and advice they placed the most complete confidence. Gentlemen, it was the prisoner, Thistlewood, who, on the 19th of February, proposed that which I have stated to you; he said, that as it did not appear from any intelligence they could collect, that ministers were likely soon to be together, at a Cabinet dinner, they should immediately ascertain the strength of their respective parties, and that having ascertained it, those parties should be divided into different bodies, upon some of whom should devolve the horrible task of destroying as many of his Majesty's ministers as came within their reach; upon others, the duty of setting fire to various parts of the metropolis, and that to the rest should be assigned the execution of other parts of the plot, which were then pointed out by the prisoner Thistlewood. This plan was at that meeting seconded by Brunt; and it was agreed, that on the following day, the Sunday, a meeting should take place at Brunt's room, in order to appoint a committee to complete the final arrangement of the operations of the following Wednesday.

Gentlemen, on that Sunday a meeting accordingly took place at Brunt's. It was attended by the prisoner Thistlewood, Ings, Harrison, Wilson, and others of the conspirators. With all their names I do not at this moment trouble you, because your attention should be confined, at present,

to the charge against the prisoner upon trial; at the same time I must observe, that if in the course of the investigation, we shall connect all the persons accused in one common plot, and one common design, the acts and the declarations of all of them, will become most important. They will each and all be answerable for the acts and declarations of the others, made and done in furtherance of their common object. The plan was again repeated by Thistlewood, was again approved of by the persons present, their number being fourteen or fifteen; and it was resolved that no activity should be wanting in the mean time, in making the preparations necessary to enable them to complete their atrocious designs.

Gentlemen, upon that occasion it was agreed that they should meet again on the following Monday; and you will find they did accordingly meet at Brunt's. The same plan was canvassed—no objection was made to it—and they then separated for the purposes of communicating it to their followers, in the different parts of the town, and of collecting as many persons as they were enabled to do, for meeting on the following Wednesday.

Gentlemen, on Tuesday the 22d of February, a meeting took place in the morning at Brunt's, and, upon that occasion, one of the parties communicated to those who were present, that he had discovered by a newspaper that a cabinet dinner was to be had on the following day, the Wednesday, at the house of Lord Harrowby, in Grosvenor-square. Gentlemen, you will be shocked when you hear the evidence detailed to you of the exultation with which this intelligence was received. Brunt, with an impiety at which every well regulated mind must revolt, exclaimed that till then he had disbelieved in the existence of a God, but that now he was satisfied that the Almighty was favouring their designs, and that this meeting was appointed on the following day to enable them at one blow to effectuate that purpose, which had been levelled against each of his Majesty's Ministers; and that they might be enabled, by the means they had procured, at once to destroy every member of the cabinet who should be present upon that occasion.

The exultation was not confined to Brunt alone; you will find that Ings, and the other persons present, equally rejoiced in the contemplation of the speedy completion of their infamous designs, exclaiming that on the following night they should attain that which had been so long the object of their desire, and for which they had been preparing with such unremitting anxiety. A newspaper was then sent for in order to see whether the intelligence was true: on its being brought, it was discovered to be so, and then they immediately resolved that instead of the plan which had been previously meditated and arranged, namely, the endeavouring to assassinate some of his Majesty's ministers at their respective residences, or wherever they might be found, the house of Lord Harrowby should be the object of attack; and that in the evening, at nine o'clock, after the guests were assembled, and when they were seated in security at table, the house should be entered by a chosen party of the conspirators, and the ministers should be destroyed by the means I shall presently detail to you.

Gentlemen, their activity upon this intelligence was redoubled; they met again in the evening; their different partizans were requested at once to collect together all the firearms they had obtained, the ammunition they had purchased, and the different instruments of mischief, which you will by-and-by find they had prepared for the occasion; every thing was to be put in a state of preparation against the following evening.

I should have stated to you, Gentlemen, before I arrived at this part of the narrative, that a person of the name of Tidd, who is included in the indictment, and who lived, I believe, at a place called Hole-in-the-Wall Passage, near Brook's Market, had, early in the plot, become one of these conspirators, and had embarked in all their plans. His house had been made a depot for some of their arms and ammunition. As their meetings were at Brunt's, they had a suspicion that they might be watched and overlooked, and they considered it unsafe that his house should be the sole place of deposit. Tidd's, therefore, had for some time been appointed to be another receptacle for the powder, ball,

ammunition, and other instruments of destruction they had prepared, and which will be produced to you in the course of the trial.

Gentlemen, as Brunt's house was at some considerable distance from Grosvenor-square, where their operations were to commence, they thought it better to procure some place of rendezvous nearer to the house of Lord Harrowby; and you will find, therefore, though it was not communicated at that moment to the different parties who were engaged in the transaction, that the spot selected was a small obscure street called Cato-street, which runs into John-street, in the Edgware Road. In this street a stable was procured by Harrison, one of the conspirators, for the purpose of their meeting on the following evening, preparatory to their going to the House of Lord Harrowby, in Grosvenor-square.

Gentlemen, it providentially happened in this conspiracy, as will generally occur in plots of a similar nature, that some of the parties, previous to its perpetration, began to feel compunctious visitings of nature, and startled at the crimes they were about to commit, and you will find that upon the Tuesday, the day on which the intelligence was received by them that there would be a dinner at Lord Harrowby's on the following day, a person of the name of Hiden, who will be called to you as a witness,—a person to whom this plan had been divulged, and who the conspirators had hoped would be a participator in the execution of their designs, felt a visiting of conscience which impelled him to communicate to Lord Harrowby himself the scheme that was in agitation. This person watched an opportunity of Lord Harrowby's going from his house into the park, and there made his lordship acquainted with the mischief that was intended.

Gentlemen, it will also appear to you, that on Tuesday some little alarm had been excited in the mind of one of the parties, a man of the name of Adams, that their plans were suspected, and that they therefore incurred some hazard in meeting. On that day, at Brunt's house, Adams informed Thistlewood and th . others, that a communication

had been made to him by the landlord of the White Hart, intimating that their meetings at that public-house had he thought been observed by some of the police officers, and Adams expressed his apprehension that their schemes were discovered, or were likely to be so. Gentlemen, this excited in the minds of some of the persons assembled the greatest agitation; they stated that they were astonished that Adams should venture, in the presence of men, some of whom were comparatively strangers, to hint that there was a possibility that their plans could be found out. Brunt, in order to satisfy them whether there was any ground for the suspicion which had been entertained by Adams, proposed that certain of the party should be appointed to watch Lord Harrowby's house on that evening, and early on the following morning, to see whether any persons were introduced to resist the intended attack, and to ascertain whether their intentions were *known*. You will find that they carried the proposal of Brunt into effect, by sending two of their party, one of whom was Davidson, a man of colour, (who will be very conspicuous throughout the whole of this transaction, as one of the active partisans,) on that evening about six o'clock to watch Lord Harrowby's house. These watchmen were to be relieved about eight or nine by two others of the party, who were to remain three hours at their post, and their places were then to be supplied by two others, who were to continue there during the night. Gentlemen, it will be proved to you, that these watches were actually set on that night, and that the men performing the duty were seen by different persons in Grosvenor Square. Finding, as was the case, that there appeared to be no alarm; that no police officers or troops were admitted into Lord Harrowby's house, or stationed in the neighbourhood, the conspirators felt quite satisfied that the fears expressed by Adams were groundless, and that there was no reason to suspect a discovery.

On Wednesday, great preparations were made by them; arms were brought of various descriptions, guns, pistols, sabres, swords, and, Gentlemen, engines which when you see them, you will perceive to be of a nature calculated for

the most deadly purposes. These engines they had themselves prepared, and their most appropriate appellation is hand-grenades. They were formed in this way:—a quantity of powder, from three to four ounces, is enclosed in a tin case, to which is attached a tube for the insertion of a fuse: round this case is tied a quantity of tow, and on the outside of that tow are fastened, as tight as they can be, sharp pointed pieces of iron of various descriptions. Thus closely confined, the powder would explode with considerable force, and the pieces of iron would be scattered around in every direction. It was stated at their meetings, without any disguise, that the purpose to which these instruments were to be applied was this:—when the attacking party entered the room where his Majesty's ministers should be assembled, the fuses were to be lighted, and the grenades thrown amongst them, inflicting, by their explosion, wounds and death upon the persons in that room: of these they had prepared a great number, I know not how many: they had also provided themselves with preparations which they chose unfeelingly to call illumination balls; these were made for the purpose of seting fire to any buildings which it should be their intention and object on that night to burn. They had also collected together a large quantity of ball cartridges, the amount of which will probably surprise you, but it will appear, that they had between eleven and twelve hundred rounds; they had also cartridges for the loading cannon, which they had made of flannel bags, in each of which a pound of powder was contained. They had got together a great number of pikes, and of pike handles, for the purpose of arming those of their friends and associates who might have no other weapons. These preparations had been, as you may naturally suppose, the work of considerable time; they were ready upon the 23d of February, for the purpose for which they were intended.

On the morning of the 23d of February, the conspirators assembled at Brunt's house, where they were engaged in completing the hand-grenades, putting flints into their pistols, loading their arms, and making every preparation for the meditated attack. I have already told you, that for the purpose of their meeting, and for the convenience of having

some place near to Lord Harrowby's house, a stable had been procured by one of these conspirators in Cato Street. I know not, Gentlemen, whether curiosity may have led any of you, as it has done a great number of the public, to visit that spot, but if it has not, I will endeavour to describe it to you, and I think you will agree with me, that a more appropriate situation for the purpose they contemplated, could hardly have been selected. It is, as I before informed you, an obscure street, having a very narrow access at each end; it is open at one end only for a horse or carriage. The entrance at one extremity is under an archway, and at the other there are posts, to prevent any persons passing but foot passengers. The East end leads into John Street, the West into Queen Street; both which streets run parallel to each other into the Edgware Road. This stable is the first building on the right hand side as you enter Cato Street, from John Street; and it is nearly opposite to a small public house, called the Horse and Groom; it belongs to General Watson, who is abroad, and had been occupied by a person of the name of Firth, by whom it was let to Harrison. It consists below stairs of three stalls, and a small place adjoining, for the reception of a cart; nearly opposite the door is a step ladder, leading up into a loft, by the side of which loft are two small rooms immediately over the carthouse. It will be proved to you, that previous to the meeting on that evening, which was to take place between seven and eight o'clock, preparations had been made by Harrison, and by several others of the persons who will be named to you, for the reception, at this stable, of those who were coming. A piece of canvas had been nailed up against the window of the loft, to prevent persons observing from the opposite side of the street, what might be passing within; and it was noticed by several of the neighbours, that this place was visited by a great number of persons during the afternoon, who were carrying in various things on their backs, the nature of which those persons could not discover, but which I think you will have no doubt, after the discovery made, were the arms and the other instruments of mischief, which were found collected there in the evening when the prisoners were taken.

Harrison, who was known to one of the witnesses who will be called, was observed in the afternoon going to this stable, and upon being asked what his business was there, and how it was that he had possession of the stable, he said he had taken it from Firth, and that he was cleaning it up. About six o'clock Davidson, the man of colour, was observed also by some of the persons waiting close to this stable, and going into it, with something upon his back, or under his arm, and a number of candles in his hand, and you will find that he applied at a house adjoining, about six o'clock to light one of the candles, which he afterwards carried into the stable.

One party was to meet that evening at Brunt's, in order to proceed from thence to the place of rendezvous. Tidd, whose name I have mentioned to you already, was to bring up another party, and Bradburn was to accompany a third. Gentlemen, they had not communicated to all their associates the precise spot where the meeting was to be held: some of them were directed to the Horse and Groom, and others were told to repair to the Edgware Road, near John Street, where persons would be in waiting to point out to them the place of assembling. Between seven and eight o'clock, Brunt and some others from his house took their departure for Cato Street, with arms which they had provided concealed under their coats. On their arrival there, they found Thistlewood, Harrison, Ings, Wilson, and some others. The party proceeded to the loft; in it were collected arms of different descriptions, blunderbusses, pistols, swords, pikes, hand-grenades, and a considerable quantity of staves, with ferules fitted to one end, in which a hole was drilled to admit the screw of a pike. They are rough ash sticks, of a considerable length and size, and will be produced to you, together with the other weapons, seized on that memorable night.

Gentlemen, at first the party in Cato Street consisted of fourteen or fifteen persons only, and some little alarm and suspicion were evidently raised in the minds of Thistlewood and some of the others, at Tidd's not making his appearance at the appointed time, and a remark being made by

one of the persons present, that their numbers were not so large as they were expected to be, it was stated by Thistlewood and others, that more would by and by assemble, and that detached parties, who were not to accompany them to Lord Harrowby's, were gone on different expeditions, about the metropolis. A short time afterwards, however, Tidd made his appearance with a man of the name of Monument, a person who had been only recently induced to participate in this crime; he had before been introduced to Thistlewood, and had a communication with him generally on the state of political affairs, with a view to the change the prisoners at the bar wished to effect, but had not till that evening, been invited by Brunt, to accompany them to Cato Street, and probably was not aware of their exact and precise plans, until he arrived at the spot; although no doubt he must have been aware, that the conspiracy had for its object some great political change. He arrived with Tidd about seven o'clock, and the party at that time consisted, I believe, of four or five and twenty persons, two of them were appointed to remain below, as sentries, in order to prevent interruption from any persons who might not be connected with them. Those two persons, who, I believe, were Davidson and Ings, were occasionally in the loft when their plan was talked of, and it was finally arranged, that they were to proceed to the house of Lord Harrowby, about eight o'clock. Some alarm, as I have already told you, having prevailed in the party, that their strength was hardly adequate to the execution of their design, Thistlewood and Ings said, that the opportunity must not be lost; that there were enough of them for the purpose of effecting the destruction of the ministers, that other parties would set fire to various parts of the metropolis: and that when the decisive blow was struck, and the town was in flames, hundreds of the people would join them, and their body would become too formidable for opposition. This statement allayed their fears; and between seven and eight o'clock they proceeded to a selection of those who should compose the party to enter the house of Lord Harrowby, and destroy the ministers.—

The scheme had been already settled, Thistlewood was to knock at the door, under pretence of having a note to deliver to Lord Harrowby, and having obtained access to the hall, they were to secure the servants, whom they expected to find unarmed, and whom therefore they should have no difficulty in compelling to show them the room where the ministers were at dinner. The party was then to make its way to that room, and without discrimination, and without remorse, destroy every one of his Majesty's ministers who should be there assembled.

I have stated to you, Gentlemen, already, the exultation and the impiety displayed by Brunt on one occasion, and I cannot conceal from you a fact, as it affects another of the persons charged, I mean a man of the name of Ings; he had been a butcher, and he had armed himself, on this occasion, not only with a blunderbuss and a sword, but with a large butcher's knife, which will be exhibited to you; and for the purpose of enabling him to use it with more effect, he had twisted round the handle a quantity of wax end, in order that when he grasped it, it should not slip from his hand, and he then stated in the most gross and horrible language, that with that knife he would murder and mutilate some of the honourable persons assembled at the house of Lord Harrowby. This barbarous idea of mutilation was, I am afraid, borrowed from scenes which some years ago disgraced a neighbouring country; and formed under the expectation that the exhibition of the heads of some of his Majesty's ministers, after their murder had been effected, might inflame the populace, and might enable the conspirators to succeed in accomplishing their nefarious purposes. Gentlemen, that very knife was found and taken from the person of Ings, upon the night of the 23d of February, in the stable in Cato Street. I mention that fact, Gentlemen, as corroborating, if corroboration shall be needed, the circumstances which I have detailed to you, and which will be narrated by the witnesses. Happily for this country, that Providence which had been so impiously profaned by Brunt on the occasion, interposed to prevent the completion of the diabolical scheme. From the communication which had been

made to Lord Harrowby, by Hiden, and from other information, the government was satisfied that these persons intended to meet in Cato Street. Means were taken to secure the parties after they had there assembled, and before they should proceed to execute the mischief they designed.

Gentlemen, in order to prevent any suspicion, it was wisely determined by Lord Harrowby, and those with whom he consulted, that the dinner which had been provided, and was intended for his Majesty's ministers, should be prepared. It was evident, if any alteration had taken place in the time or place of the entertainment, and such an alteration had been by any means made known to, or had been suspected by, the Prisoners, their course of proceeding would have been changed, and their meeting would have been postponed to a future and more convenient opportunity.

Gentlemen, precautions had been taken to prevent the accomplishment of this plan; a number of Bow Street officers, and of the Patrole, had been directed to go to Cato Street, to watch the movements of those who might assemble there; and at a convenient season, before they should take their departure from thence, to secure those who were assembled. A party also of the Guards, who were stationed at Portman Street Barracks, were directed to attend in John Street, to aid the Civil Power; and you will find, Gentlemen, that at the very moment when they were selecting those of the party who should be the foremost in the execution of their daring and horrible plan—at the very time when Thistlewood in the loft was separating from the rest those to whom was to be assigned this assassination and murder, the officers entered the stable. Upon their entrance they discovered two persons, one will be proved to be Davidson, he was remarkable from his colour, as he is nearly a black; he had cross belts over his shoulders, and a belt about his loins; in one of the former was suspended a sword; he had a gun upon his shoulder, and pistols in the belt that was round his waist: he was stationed just within the door. The other man, who will be clearly identified to be Ings, was posted at the bottom of the ladder. He was armed with the knife I have mentioned, a gun, and a cutlass.

Gentlemen, the officers, with a resolution hardly credible, when you consider the desperation and the determination of the parties who were assembled above, ascended the ladder. The first who went up was Ruthven, he was followed by Ellis, after whom came an officer whose name undoubtedly you must have heard mentioned, the unfortunate Smithers, who met his death that night by the hand of the prisoner at the bar. Gentlemen, upon Ruthven's ascending the ladder, one of the men below called out to those above, as a signal for them to be upon their guard, and when Ruthven had gained the loft, Thistlewood, who was at a little distance from the landing place, and whom the officer distinctly saw, (for there were lights in the loft) receded a few paces, the officers announced who they were, and demanded the surrender of the persons in the loft. Ruthven, as I told you, was followed by Ellis, who drew up close by him; Smithers proceeded forward in a direction to seize Thistlewood, the prisoner, who instantly retreated into one of those small rooms I have described to you, and the moment he saw Smithers approaching, he drew back his hand, which held a sword, and immediately thrust it at the unfortunate man; he received the wound near the heart, and had only time to exclaim, "Oh God, I am killed!" before he sunk into the arms of Ellis, and died. Ellis seeing the blow given by Thistlewood, immediately discharged a pistol at him, which missed its aim; a great confusion ensued—the lights were struck out, the officers were forced down the ladder, many of the party followed, Thistlewood amongst the rest came down, and not satisfied with the blood of one person whom he had already killed, he shot at one of the officers, as he descended the ladder, a man of the name of Westcoatt; he then proceeded through the stable with his sword in his hand, cutting at every one who attempted to oppose him, and the soldiers at that moment not having arrived at the spot, Thistlewood ran into John Street, and so towards the Edgware Road, and was not at that time taken. The other persons were equally desperate in the resistance they made; conscious of their purpose, they waited not to know on what charge they were to be apprehended. You will

find, that Ings, Davidson, Tidd, and Wilson, all made a desperate resistance, and each of them, I believe, fired at the officers and soldiers who attempted to arrest them; but their resistance was ineffectual, and they were fortunately secured. Davidson, Ings, Tidd, Wilson, Bradburn, Strange, Gilchrist, and Cooper, were taken either in the street, or in the loft. The only persons who then effected their escape, out of the eleven comprised in the indictment, were Brunt, Harrison, and Thistlewood. Several others, assembled upon that occasion, whose names are not known, also made their escape.

Gentlemen, the officers not only secured the Prisoners, but they possessed themselves also of the various articles of arms and ammunition that were in the stable: they will be produced to you, in the course of the trial.

The prisoner, Thistlewood, did not return to his house in Stanhope Street. Brunt went home, and you will find by his apprentice, Hale, that he arrived there between nine and ten o'clock; the boots which he wore were covered with dirt. He was immediately followed by another man, whose name the boy does not know, but who, from the conversation with Brunt, was evidently one of the party at Cato Street. When he appeared Brunt, was rejoiced to see him; and from what passed, Hale collected that they had been together, and had both escaped; but that the stranger had been seriously hurt by blows he had received. Brunt fancied that having so escaped, his person had not been discovered, and that no one would disclose the transaction. He slept at home that night, but on the following morning he rose early, called the apprentice boy, asked him if he knew some street in the Borough which he named, and stated that he wanted him to take to that street two baskets, which were in the room that had been let to the prisoner Ings. Gentlemen, those baskets were tied up by Brunt, and one of them was wrapped in an apron belonging to his wife, and which had been nailed up against the window of the room occupied by Ings, for the purpose of preventing observation. He had hardly effected this operation, and gone into his own room, when the officers who had received information that he was one of the party in Cato

Street, entered the house, apprehended him, and at the same time seized the two baskets. It was most important to Brunt to have conveyed away those proofs of his guilt, for in those baskets were contained grenades, fire balls, and other preparations which had been made for accomplishing their design. He affected ignorance of the contents of the baskets; but you will find from evidence that cannot be contradicted, that he had just packed them, to be sent into the Borough.

Thistlewood, as I have already remarked, did not return to his home; he secreted himself in a house in White Street, Finsbury Square, belonging to a man of the name of Harris. Intimation, however, was received by some of the police that he was there concealed, and between ten and eleven o'clock on the Thursday morning, a party of officers, headed by Bishop, went for the purpose of securing him. They first searched the rooms up stairs, and not finding him there, they descended to the ground floor, and observing a door, which on trying it was found to be locked, leading into a room opposite the sitting room of the people of the house, Bishop demanded the key, and knowing the desperation and determination of the prisoner at the bar, he opened the door as softly as he could. On entering, he perceived that the window shutters were closed; but there were holes in them to admit the light, by which he discovered the prisoner Thistlewood in bed. Thistlewood raised his head, the officer immediately recognized him: and Bishop threw himself on the bed to secure him; and Thistlewood, perceiving that resistance was unavailing, surrendered.

Gentlemen, by these means the prisoner at the bar was taken into custody, and here the narrative of the facts should naturally have closed, but there is one important circumstance which I have omitted to mention, and which I must now bring to your attention. On the 23d of February, when they met at Brunt's room, previous to going to Cato Street, after their plans were discussed, their objects avowed, and they had resolved upon the assassination of his Majesty's ministers, thinking that by that event, such

dismay and confusion would be every where excited, that they should the more readily obtain the ulterior objects they had in view: They held some further consultation as to what should be done after that blow had been struck. I have already told you, that part of their plan was to set fire to certain buildings, and amongst others the King Street Barracks, in Portman Square, were fixed upon for conflagration. Harrison, one of the conspirators, who had been, I am sorry to state to you, in his Majesty's service, was acquainted with the situation of that building; and had stated that he could easily, by means of a window which opened at the back part of the premises, and communicated with a loft, in which straw and hay were kept, throw in one of the fire-balls, which would create great confusion among the troops who were quartered there, and would prevent their getting themselves and their horses accoutred, when they were called upon to act.

Gentlemen, upon that occasion Thistlewood sat down to write a proclamation addressed to the inhabitants at large of this metropolis. For the purpose of writing this proclamation, some sheets of cartridge paper were wanted, and the boy Hale was sent out to obtain it; on his return, Thistlewood wrote in large letters the following words, or to the following effect:—"Your tyrants are destroyed, the friends of liberty are called on to come forward, as the provisional government is now sitting." Gentlemen, if any doubt could be entertained of the ulterior designs of these conspirators, and that they were not confined to the assassination of his Majesty's ministers, this proclamation would put the matter out of all doubt: he wrote two or three copies of it—he read it aloud to the parties assembled, and told them, it was to be stuck up near the houses on fire, that the people might the more readily see it. He afterwards endeavoured to compose another address to be issued to the soldiers. It contained a call upon them to join the friends of liberty, and a promise of their immediate discharge, with full pay for life, and a donation of £20. to take them to their respective homes. Whether or not that address was absolutely completed, may be doubtful on the evidence, but the proclama-

tion I first gave you the substance of, was read by Thistlewood. Gentlemen, the written proclamations were taken away by the prisoner, but there will be no doubt whatever of the contents of them; they will be proved to you by a person who heard them most distinctly.

Gentlemen, I was stating to you, before I mentioned to you this important fact, that I had nearly closed the narrative of the facts which will be proved against the prisoner at the bar, and I ask you, if these facts are proved, whether there is one of you that calmly and dispassionately considering these facts, can entertain a doubt of the guilt of the prisoner at the bar. What answer can be given to them, I am at a loss to conjecture. Will any be given, or will any be attempted? If no answer be given by evidence, what can be said by way of observation? Will it be urged to you, that this plan was so wild in its nature, so impracticable in its execution, that the existence of it cannot be credited in a Court of Justice? Is that the argument to be used upon this occasion? Gentlemen, you and I are very inadequate judges of the credit due to a plan of this sort. Men, with heated passions, and with a determined purpose, conceive schemes which in themselves may be impracticable, or not likely to be brought to a successful result: but as the inventors brood over them—as they consider their machinations from day to day—they work themselves up into a belief at last, that their means are more extensive than they really are; they diminish the difficulties which are interposed between the conception of their plan and its completion; they fancy that there are other persons as wicked as themselves, who though they cannot be prevailed upon, in the first instance, to embark in their nefarious schemes, will, when a blow is struck,—when something is done to excite their feelings and their passions, immediately join the standard of insurrection. You and I, Gentlemen, reasoning calmly, may as I have said be very inadequate judges of the workings of the minds of men of this description; but there will be proved facts which admit of no solution—which allow of no explanation, consistent with the innocence of the prisoner and his associates.

Gentlemen, your judgment is not to be formed upon an enquiry whether the scheme of these men was practicable, or whether it could ever have entered into rational minds. Those are not the questions for your determination. If a plan has been formed for the purposes charged by this Indictment, however wild and however visionary it may appear to you; if you believe it did enter into the minds of the prisoners, and that they took one single step towards its completion, then, and I state it without the hazard of contradiction, that conviction will be enough to justify a verdict of guilty.

Gentlemen, I have no doubt it will be stated to you, that many of the facts in the case are proved, (for they can only be so proved) by persons who were participators in all the criminality of the transaction. It will be urged to you, with great force, that accomplices are not to be believed unless they are confirmed by other witnesses. Gentlemen, in plots of this nature contrived in secret, and which can only be effected by concealment, (I mean in their original concoction and formation,) if the testimony of an accomplice were not to be received, perfect immunity would at once be held out to the inventors of the blackest schemes. Fortunately, Gentlemen, it is neither the law of England, nor can it be the law of any country that has reason for its guide, that an accomplice in a crime cannot be a witness to prove its existence. But as in this case I am far from being anxious to press the proof one iota further than it ought in justice to the community to be carried, I freely admit that the testimony of an accomplice should be received by you with the greatest jealousy and caution; you should watch the manner in which he gives his testimony; you should weigh the credibility of his story; but above all you should see whether he be or be not confirmed in the material parts of that story by other and uncontaminated evidence; not in every particular, because if it were possible so to confirm him, then you need not his testimony at all; the witness by whom he could be so supported would render the testimony of the accomplice unnecessary. If his account is corroborated to such an extent as to render his whole testimony

credible; if you find him speaking truth in those parts capable of, and which shall have received confirmation, you have a right, you are bound to conclude that the rest of his narrative is true. There are always in these transactions some things which cannot be proved except by the participators in guilt. No men conceiving such a plan as this would ever venture to discuss or to consider it in the presence of others whom they did not believe to be fully prepared to go all lengths with them for the completion of it; their secret deliberations known only to themselves, and to God, cannot be divulged unless the testimony of their accomplices be admitted. I say therefore to hold out that an accomplice is not a credible witness, that he is one upon whose testimony a jury cannot act, would be at once to lay down the principle that the darker the design, the more nefarious the purpose, the greater shall be the immunity of the offenders, the less their liability to detection. The more heinous the crime, the more secret it will naturally be kept, and it will be utterly impossible to bring to justice those who contrive and execute schemes of villany, unless the evidence of others who have been to a certain extent participators in the guilt, can be resorted to, and made available.

Gentlemen, not only is it the law of England, but it is the daily practice of its courts, to admit the testimony of accomplices. In trials for murder, how often do you find not only that an accomplice is received, but that reward and pardon have been held out to him to induce him to become a witness against the accused. Happily for the ends of justice in this case, no question of doubtful confirmation will occur; a man of the name of Adams will be called, a guilty accomplice with the prisoners, meeting them and consulting with them daily, from the latter end of the month of January till they assembled in Cato Street. He will prove what passed when he was present, and the acts in which he was a party. The account he will give you of the treasonable conspiracy will, in a variety of its leading circumstances, be so confirmed both by the oral testimony of unimpeachable witnesses, and the production of the arms found upon the persons and in the houses of the conspirators, and in the loft

in Cato Street, as to leave, I fear, upon your minds no doubt whatever of the guilt of the unhappy man at the bar.

Another witness I shall present to you is not so implicated; I mean the man who first communicated the transaction to Lord Harrowby. To a certain extent he had been made acquainted with the schemes of the prisoners; and had listened to the detail of them, with apparent approbation; but without at all embarking in them, he immediately disclosed what had been imparted to him.

Gentlemen, we cannot always account for the operations of the human mind. Some men, if they had once embarked in such a scheme, might mistakingly consider it an imputation upon their courage to recede; others, when the ultimate objects of the conspirators were developed, might, from disapprobation of them or from timidity, withdraw themselves, and still be so unmindful of their duty to society, and of their allegiance to the king, as not to make known the mischiefs that were in contemplation; others, when they came to reflect upon the matter, might feel that they were bound to make it public—that they were called upon by the common feelings of humanity, to avert from the devoted victims of this bloody scheme, the destruction that awaited them. Hiden is a man of the last description, and is no credit to be paid to this man? is his testimony such as you are to discredit? Weigh it in the scales of caution, scrutinize it anxiously, but permit me to observe, that I see nothing in the conduct of Hiden on this occasion to impeach his veracity.

There is another person who will be called to you, of the name of Dwyer, who was supposed undoubtedly by Thistlewood and some of the others, to be worthy of their confidence, and who was expected to assist them on the evening of the 23rd. Having had a previous acquaintance with Davidson, Dwyer was applied to on the morning of that memorable day; they communicated to him their intention of meeting in the evening at Cato Street, for the horrible purpose of attacking his Majesty's ministers, at Lord Harrowby's. Gentlemen, he almost instantly communicated it to an officer in the army, with a desire that he would make

his Majesty's ministers acquainted with it; and that was accordingly done.

But, Gentlemen, this is not the whole of the case on the part of the prosecution—it will not depend upon the testimony of Adams, Hiden, and Dwyer only, for there are facts in this case requiring, on the part of the prisoner, such an explanation as I am afraid it will be impossible for him to give, but which unless he does give, put the seal to his guilt. What was the purpose for which these persons were assembled in Cato Street on that night? Men with no common bond of union—not related to each other—not connected with each other, except in the nefarious schemes they had in contemplation—are found assembled in a stable, in an obscure street, with a large collection of arms of the description I have given you. In addition to those instruments of mischief which were seized by the officers and soldiers in Cato Street, there were found in the houses of two of these persons, Tidd and Brunt, other materials and implements of death. For what purpose, I ask, if their object was confined to the murder of his Majesty's ministers, were eleven or twelve hundred round of cartridges procured? Why were quantities of grenades and fire-balls prepared? For other objects and other purposes than the attack in Grosvenor Square;—for the objects described, and the purposes charged, in this Indictment.

Gentlemen, I cannot anticipate that the learned counsel to whom the prisoner has confided his defence, will put it upon this issue. I am convinced it will not be contended that this plan was to begin and end in the assassination of his Majesty's ministers. His Majesty's ministers! had they as individuals, offended any of these prisoners?—Had they, as individuals, excited in the minds of these men any motives for revenge? No, Gentlemen, the blow was not aimed at them as individuals; it was directed against them for the character which they filled; it was not against Lord Harrowby that the dagger was to be raised, but against the President of the Council. It was not the Earl of Liverpool who was marked by the conspirators for destruction—a nobleman whose person probably they might not know, and who could never

have offended them in thought, word, or action; it was the first lord of the treasury they intended for their victim. Can you doubt that when they meditated the destruction of his Majesty's ministers, they contemplated it as an act which was to be the commencement of that wild and visionary revolution they had in view; and with the intention of establishing that provisional government alluded to in the proclamation the prisoner Thistlewood had drawn up? Can any man, much less persons in your station and rank of society, imagine a motive for this conspiracy against his Majesty's ministers, if the subversion of the government was not the ulterior object of the conspirators?

Gentlemen, with these facts before you, I shall not fatigue you by the detail of many minute circumstances in which the principal witnesses will be strongly confirmed. I will not allude to the evidence which will come from uncontaminated sources, particularly from the apprentice of Brunt, who was no participator in the guilt of his master. If the case, Gentlemen, rested on the evidence of those alone who may be termed, by the prisoner's counsel, participators in the crime, you will have facts proved to you by them which must lead you to the unavoidable conclusion that the charge in the indictment is substantiated. What was the conduct of the prisoners when they were surprized in the loft? I assure you, I am most desirous that that conduct should not be considered by you any further than as it tends to the conclusion of the guilt or innocence of the prisoners on the charge you are sworn to decide upon. The officers endeavoured to secure them. If they were there for an innocent purpose, why did not they surrender when the officers called upon them to do so? What was their conduct?—the most determined, the most ferocious; one of the officers is inhumanly killed, and others are attacked and fired at. Do not misunderstand me, as far as the death of the unfortunate Smithers is concerned, you are not trying the prisoner at the bar for that act; but you are bound to take all their acts in the stable into your consideration, they cannot be dismissed from it. It is a fact in the case, that they resisted the civil power by all the means they had to the utmost

extremity. The prisoner at the bar effects his escape, he flies from his dwelling-house and secretes himself in a different part of the town, and is there found. With all these facts before you, if they shall be proved, let me ask you, as reasonable men, what conclusion can you draw from them favorable to the prisoner?

Gentlemen, the issue of this case is undoubtedly of the very deepest importance to the unfortunate man who stands before you; it involves not only his character, but his life. On the other hand, reflect upon the importance of it to the community at large.—If this plot was fabricated, if this man invented or adopted it, and the means were used which I have described to you to carry it into execution, can you hesitate to do that act of justice to your country which such evidence imperiously calls upon you to perform.

Gentlemen, when the period arrives to make up your minds upon this momentous question, you will weigh the evidence calmly and dispassionately;—if you think the scale preponderates in favor of the prisoner, an event I own that I cannot anticipate, you will discharge your consciences by finding him not guilty; but if all the facts proved inevitably tend to the conclusion of guilt; if the charges against the prisoner at the bar be substantiated, it will be your indispensible duty, however painful that duty may be, to pronounce a verdict of guilty.

Mr. Gurney. It will be necessary that the other prisoners should be present for the purpose of their persons being spoken to.

The other prisoners were placed at the bar.

Mr. Adolphus. My Lord, I have to request that the witnesses for the crown may be directed to withdraw until their examinations. I do not desire it of any persons in a respectable situation of life, or of the police officers.

Mr. Attorney General. Under those circumstances I should wish that all the witnesses should retire. The witnesses for the crown will be out of Court throughout the case.

Lord Chief Justice Abbott. The solicitor for the prisoner will take care then that the witnesses for the prisoner shall be out of Court.

EVIDENCE FOR THE CROWN.

Robert Adams sworn.

Examined by Mr. Solicitor General.

Q. Where do you live?
A. No. 4, Hole-in-the-Wall Passage, Brook's Market.
Q. What are you by trade?
A. A shoemaker.
Q. Were you ever in the army?
A. Yes.
Q. In what regiment?
A. The royal regiment of Horse Guards.
Q. How long is it since you left that service?
A. Eighteen years last Christmas Eve.
Q. Did you know the prisoner John Thomas Brunt?
A. Yes.
Q. Where did you first become acquainted with him?
A. At Cambray, in France.
Q. By what name did he then go?
A. Thomas Morton.
Q. How long is that ago?
A. In 1816, I think.
Q. Do you know the prisoner Thistlewood?
A. Yes.
Q. When did you first know him?
A On the 13th of January last.
Q. Where did he live at that time?
A. In Stanhope-street, Clare Market.
Q. Where did you see him first on the 13th of January?
A. In his own room—the two pair front room.
Q. How came you to go there? did you go alone, or did any person go with you?
A. I was introduced by Brunt and Ings.

Q. When you saw Thistlewood what conversation passed at the meeting on the 13th of January?

Mr. Adolphus. I submit this cannot be evidence: this Indictment charges a conspiring against the person and government of our Sovereign Lord the King, that is, the now King George the Fourth; he is talking now of a conversation on the 13th of January, that was during the reign of the late King.

Mr. Solicitor General. I am giving evidence of the conversation, not of acts.

Lord Chief Justice Abbott. Supposing that the scheme began in the reign of the late King, but was intended to be carried into effect in the reign of the present King, we must hear the whole story.

Mr. Adolphus. I would submit whether that which passed on the 13th of January, must not be considered as referring to the then King.

Lord Chief Justice Abbott. We cannot refuse to hear the commencement of the scheme.

Mr. Adolphus. Then my objection will be too late.

Lord Chief Justice Abbott. The Jury will of course be informed, that the parties cannot be convicted on this Indictment, if the intention was only to depose his late Majesty; but if, having commenced in his late Majesty's reign, they have gone on with the intention to depose his present Majesty, then it will apply to the Indictment: we must hear the whole of it; if it stopped short there, then it will not apply to the Indictment.

Mr. Solicitor General. When you were introduced to Thistlewood by Brunt and Ings what passed?

A. I was introduced into the room by Brunt; on going into the room Brunt said to Thistlewood, "This was the man I was speaking to you about." Thistlewood said, "You were once in the Life Guards."

Q. He said that to you?

A. Yes.

Q. What did you say to that?

A. No, I said, I was not—I originally belonged to the Blues. He said, "I presume you are a good swordsman."

I told him I could use a sword sufficient to defend myself, but I could not say I was so clever in the sword as I was some years back, not being in the habit of using a sword or arms of any description for some time. On this he began to allude to the genteel people of this country, endeavouring as much as he could to make them mean and contemptible; saying there was not one who was worth ten pounds, that was worth any thing for the good of his country.

Q. Did any thing further pass at that time?

A. Yes—As to the shopkeepers of London, he said they were a set of aristocrats altogether, and were all working under one system of government, that he should glory to see the day that all the shops were shut up, and were plundered. His discourse then turned upon Mr. Hunt; that Mr. Hunt was a damned coward, and a man that was no friend to the people; and he had no doubt, were he to get into Whitehall, and examine the books, he should find his name there as a spy for government.

Q. That if he Thistlewood got into Whitehall, he should find his name on the books of Government as a spy?

A. Yes.

Q. How long did this interview last?

A. I have not done.—He next turned his discourse upon Mr. Cobbett, saying Mr. Cobbett, with all his writings, was of no good to the country; and that he was a man that did not wish them well; and that he had no doubt he was a spy equally the same as Mr. Hunt himself. I believe that finished the discourse, so far as I can recollect.

Q. You had afterwards the misfortune to be confined in White Cross prison for debt?

A. Yes, I had.

Q. When was that?

A. On the 17th—it was prior to the 17th.

Q. Some other conversations took place between you and Thistlewood, before you went to prison?

A. Yes.

Q. I do not want to go into the whole of them.

A. There were several before the 17th.

Q. Where did those interviews take place?

A. The next interview I had with Mr. Thistlewood was on Sunday the 16th.

Q. Where was that?

A. At the White Hart.

Q. Where is the White Hart.

A. In Brook's Market. It is kept by a person of the name of Hobbs.

Q. What kind of room was that? was it a room belonging to the public house, or a room in a back yard?

A. A room in a back yard; a small room.

Q. Was any person present besides Thistlewood, at that conversation?

A. Yes, Ings, Brunt, Hall, and in the course of the forenoon, before it broke up, there was Tidd.

Mr. Curwood. Will your Lordship excuse me——

Mr. Solicitor General. I am not going to ask as to any thing that passed at that meeting; I have no objection to your asking to it, but it is not necessary, and therefore I will not take up the time. You afterwards, you say, went to prison?

A. Yes.

Q. How long did you remain there?

A. I came out on Sunday the day after the death of the King.

Q. That was on the 30th?

A. Yes.

Q. After you came out, did you go to any place where Thistlewood was present?

A. I saw him on the Monday evening, the 31st.

Q. Where was it you saw him?

A. I saw him in a room on the same floor where Brunt lives; in a back room.

Q. Where is that?

A. I cannot exactly tell you the number in the court.

Q. What is the name of the court?

A. Fox Court, Gray's Inn Lane; it runs from Gray's Inn Lane to Brook Street.

Q. Who were present at that meeting besides Thistlewood.

A. There were Brunt, Ings, Hall, and Davidson. I cannot charge my memory at this moment with any body else.

Q. What conversation took place at that meeting?

A. There was nothing particular took place that night to my recollection.

Q. Did you meet them on the following night, on the Tuesday?

A. I cannot recollect whether I did or not.

Q. When did you meet them again, according to the best of your recollection?

A. To the best of my recollection, I met them on the Wednesday evening.

Q. Who were present on that Wednesday?

A. There was Thistlewood, Brunt, Davidson, and Harrison and Edwards.

Q. What passed at that meeting?

Mr. Curwood. I must object to that, my Lord, because it is an overt act not stated on this indictment. They have stated a meeting on the 5th of February, at the Parish of Mary-le-bone, and at divers other times and places. I apprehend "divers other times and places," is not a sufficient statement to give the Prisoner notice to be prepared. I am very well aware, that even a substantive treason may be given in evidence to support an overt act on another subject; but in this case, where they have stated the overt act of meeting, without designating either time or place, I humbly apprehend it is not such a meeting as can be given in evidence under that averment. It is necessary to state the overt act on the indictment, that the prisoner may be prepared to contradict the account given of that meeting. That is my short objection; if I have made it understood, that is all I desire.

Lord Chief Justice Abbott. This is the invariable form of every Indictment, drawn either for High Treason or

Conspiracy, that the parties met and did such and such acts, and no objection has ever been taken to the generality of such an averment; if that objection could prevail, it would lead to infinite prolixity setting out the date and time of every conversation.

Mr. Curwood. I thought it my duty to submit the objection.

Lord Chief Justice Abbott. I shall be happy to attend to any objection which occurs to you, Mr. Curwood.

Mr. Solicitor General. What passed upon that occasion?

A. There was nothing particular passed upon that occasion, only that I saw a number of those pike staves. Thistlewood was anxious to have them feruled, and as far as I could understand, Thistlewood expressed himself rather surprised that Bradburn was not come.

Q. Is that Bradburn the prisoner?

A. Yes.

Q. What was Bradburn by trade?

A. That I cannot say. Davidson in particular began to express himself dissatisfied because Thistlewood said that Bradburn had been supplied with money to buy ferules to put upon those staves, and that they were not done.

Q. Were those staves in the room at the time?

A. They were.

Q. In what state were they?

A. They were quite green, and appeared as if they had just come from the country.

Q. State any thing further that passed at that meeting.

A. After Davidson expressed himself dissatisfied with Bradburn not coming forward to ferule the sticks for the pikes, he said he would not give a damn for the man,—he dare say he had spent the money,—a man like him was not worthy of consideration.

Q. Do you know any thing else that passed at that meeting?

A. There was nothing else further than Thistlewood making a reply, "No, no."

Q. I do not ask you as to any thing that passed relative to these disputes, but on any other subject.

A. I do not remember that any thing further passed.

Q. How often were those meetings held?

A. Those meetings were held twice a day.

Q. Up to what time were they held twice a day?

A. Up to the 23d of February.

Q. From the time you came out of prison?

A. Yes, they were in that room.

Q Did you collect from them who had hired the room?

A. Yes, I heard Brunt say he had hired the room for Ings.

Q. Did he say for what purpose the room had been hired?

A. No, he did not; I can only conjecture for what it was hired.

Q. Was there any furniture in the room?

A. No, except a stove that was fixed.

Q. But the meetings continued to be held there from the 31st of January to the 23d of February, in that room.

A. Yes.

Q. When did you go there again?

A. I cannot charge my memory exactly, but I can recollect one circumstance particularly. One evening about nine or ten days before the funeral of the king, I went up into the room where a meeting was held; there was Thistlewood and Harrison sitting by the fire; they were in deep discourse, and there were two chairs; they made room for me to sit down; Harrison sat in the middle, and Thistlewood on one side and I on the other: they began to tell me the discourse that had passed between them. Harrison told Thistlewood he had met one of the life-guards, who told him, that all the life-guards that could be spared, and could be mounted, would be at the funeral of the king; and likewise as many foot-guards as could be spared, and likewise the police officers. Harrison said it struck him, after he left this life-guardsman, that this would be a favourable opportunity for what they had in view, as the soldiers would be out of town, and the police officers as well; that it would be a very favourable opportunity to kick up a row, and see what they could do that night.

Q. Harrison stated this to Thistlewood?

A. Yes, and then Thistlewood improved it, afterwards Thistlewood laid a plan.

Q. What did Thistlewood say?

A. It quite met with his approbation, he said it certainly would be a very favourable opportunity, and he had no doubt, provided they could take those two pieces of cannon from Gray's-inn-lane, and the six pieces of cannon from the Artillery Ground, that they would have an opportunity, before morning, to put themselves into the possession of London.

Q. What further passed?

A. Thistlewood quite agreed with the plan, so far as this, he said, if once it began and if communication went from London to Windsor to inform the army there that they were to come to London, they would be so tired when they got to London they would not be able to do any thing.

Q. What further passed?

A. Mr. Thistlewood said, he thought by persevering after they had got the cannon, it might be so ordered that they could go to Hyde Park and prevent any orderly leaving London to go to Windsor to make any communication of what had passed in London.

Q. Was any thing further said?

A. In the next place he said it would be highly necessary to go to the telegraph, over the water, and take possession of that to prevent any intelligence being conveyed to Woolwich; he next proposed, as he thought by this time they should be able to form a provisional Government, to seek for a provisional Government, and for that provisional Government to send down to the sea-ports to prevent any gentlemen being permitted to leave this country without a passport from the provisional Government, he particularly mentioned Dover, Brighton, Ramsgate and Margate, and last of all he bethought himself that Brighton would be the most particular place of any, he said it would be necessary to take a force down there sufficient to take it, "not that I suppose the new King

will be able to be there at that time, or even to be at the funeral of his father," he did not consider he was well enough, but "it will be necessary to go down there to prevent any person leaving it; and as to the Prince Regent or the King, we cannot think of his ever wearing the crown, the present family have inherited the crown long enough."

Q. Did any other persons come into the room during that meeting that evening?

A. Ings and Brunt.

Q. What did you say about not wearing the crown?

A. He said, "I think it is no use the new King ever thinking of wearing the crown."

Q. You have told us, at first Harrison and Thistlewood, and yourself were there, did any other persons come in?

A. Brunt and Ings were not in the room at the time this conversation passed, but they came in afterwards.

Q. After they came in, was any thing said to them?

A. Thistlewood got up and went to Brunt and Ings and communicated what Harrison had brought, as to what might be done on the night of the funeral of the King; Brunt and Ings heard what he had to say, but they both positively declared that there was nothing short of the assassination which they had in view, that would satisfy them.

Q. The assassination of whom?

A. Of the Ministers.

Q. Had any conversation taken place on that subject before?

A. Yes.

Q. At that meeting, or a former meeting?

A. At a former meeting.

Q. Will you tell us what that conversation was respecting the assassination, what that plan was?

A. I asked them frequently what was the plan, but the first meeting I had with Brunt he told me what was the intention.

Q. What did he say?

A. He said there were two or three of them who had drawn out a plan with a view to assassinate the Ministers the first Cabinet dinner that they had.

Q. Was there any talk either at that meeting of which you have just spoken, or any former meeting, about this assassination?

A. They never scarcely met but that was the object, part of it.

Q. Was any thing said as to what was to be done, besides the assassination of the Ministers?

A. Not at that time.

Q. Not before that meeting when the conversation took place about the funeral?

A. No.

Q. Do not say any thing as to any thing which took place after that meeting where the conversation took place about the King's funeral, because we will go to that by and by, but do you recollect any thing further respecting the former meeting?

A. I cannot charge my memory with any thing further.

Q. You say you saw some pike staves in that room, was there any thing but the pike staves carried into that room?

A. Yes.

Q. Confine your statement for the present to any thing previous to the meeting at which the King's funeral was spoken of, was there any thing carried into the room previous to that time?

A. I cannot say whether they were previous to that time, afterwards there were, I cannot charge my memory as to the exact dates until I come to the 19th of February.

Q. What day of the week was that?

A. The Saturday.

Q. What time in the day did you go there?

A. Between eleven and twelve o'clock in the forenoon.

Q. This room in Fox-court?

A. Yes.

Q. Who was there at that time?

A. I saw Thistlewood, Davidson, Harrison, Ings, Brunt and Hall.

Q. Tell us in the order of time as accurately as you can, every thing that took place at that meeting, every thing that was said and every thing that was done.

A. On the Saturday the 19th, on my going into the room they were all set round the room seemingly in a sort of confusion, in a deep study, I had not been in scarcely a minute before they all got up and turned themselves short round upon their heels, saying, "Well, then, it is agreed we are come to the determination then if nothing occurs between this and next Wednesday night, next Wednesday night we will go to work." It was said that that were all so poor that they could not wait any longer, Thistlewood directly proposed that a committee should sit to-morrow morning, on the Sunday at nine o'clock, in order to draw out a plan to go by what they were to do, Thistlewood said to Brunt "you had better go round this afternoon and acquaint what men you think you can bring forward, in order to bring them to the committee to-morrow morning," Brunt said he had got some work to finish, and he did not think he should have any time, but he might get up in the morning and acquaint a few that they might attend, but they did not want a great many to be in the room, Brunt appeared as if he was leaving the room, and Thistlewood seemed to recollect himself, and said, "oh, Brunt, it will be highly necessary for all that attend the committee to-morrow morning to bring arms with them in case any officers should come up." On this Brunt said, "damn my eyes, if any officer was to come into this room I would run them through, murder them, and take care after I had done it should never be found out." This, to the best of my recollection, finished what I saw on the Saturday in the evening, I did not go up on the Sunday morning till just turned of eleven o'clock I entered the room.

Q. Who were in the room at that time,—how many?

A. On going into the room, what with the fog and thickness of the snow, the room was in a state of darkness. I made towards the fire-place, but it was so dark I could scarcely tell who they were till one spoke to me, that was Tidd: he said, "How do you do, Adams?"—I said, "Is it you, Tidd? I did not know who it was."

Q. Did you afterwards collect from the conversation and the looking around you who were there?

A. Yes, I did.

Q. Who were there?

A. There were Thistlewood, Brunt, Ings, Hall, Davidson, Harrison, Cook, Bradburn, Edwards, myself, and Wilson.

Q. Will you tell us what took place at that meeting,—tell us it in the order of time?

A. A very little while after this, I found that the business they had met upon, which was to begin at nine o'clock, had not been entered on. Mr. Thistlewood, on looking round and counting the number of heads, says, "I think it is high time, gentlemen, to begin the business." Counting the heads, and seeing there were twelve, he said, "I think that is quite enough to form a committee." On this Mr. Tidd was proposed to take the chair.

Q. Thistlewood proposed that Tidd should take the chair.

A. Yes. Tidd takes the chair, and he takes a pike, and he sits with a pike in his hand; Mr. Thistlewood standing upon his left, and Brunt upon his right. Thistlewood began. Says he, "Gentlemen, I presume you all know what you are met here for," turning his head to the door, with an allusion that he would not name what they had met for, or call the names of the different ministers over, but he turned to the door and said, "the west-end job." Brunt perceiving this, said, "Damn my eyes, never mind, mention their names, what signifies?" He was called to order directly from the chair. On this Thistlewood speaks again: he says, "Gentlemen, we are come to this determination, as we are all of us tired in waiting so long for the doing this job, and as we find there is no probability of their meeting all together—"

Q. Of whose meeting all together?

A. Of the ministers.—"If in case they do not dine all together between this and Wednesday night, we are come to a determination within ourselves to take them sepa-

rately at their own houses; we shall not have such an opportunity of destroying so many as provided they were to dine all together: if we take them separately, we must content ourselves with getting two or three, or four, as we can get them. I suppose," says he, "it will take as much as forty or fifty men to do the west-end job with: and I propose, at the same time, that the two pieces of cannon in Gray's-inn Lane shall be taken, and the six pieces of cannon at the Artillery Ground shall be taken."—Cook proposed himself to take the lead, and take the command upon himself, at the taking of those cannon. He proposed after these were taken, taking the Mansion House as a seat for the provisional Government; then they were to make an attempt upon the Bank of England: he directly proposed, that Mr. Palin should be the man that should be entrusted to set fire to the different buildings in different parts of London.

Q. Was Palin to do this by himself?

A. If you will let me go on in my statement.—To the best of my recollection this pretty well finished Mr. Thistlewood's plan that morning, and he said there was time enough between that and Wednesday night to improve it, as they could not come to any decision what time to begin, but they should have time between that and the Wednesday night to settle all that. He said he should drop the subject for the present, as Brunt, or Mr. Brunt, (I cannot exactly recollect which of the two,) had a proposition to make to them, respecting the assassination of the ministers, how it was to be done. On this Brunt coming forward to state his plan, Thistlewood said, "Stop, this proposition I have said to the men in the room had better first be put from the chair, to see whether they are all agreeable to what has been said." Thistlewood said to the Chairman, "You had better, before you put the question, ask them all round separately whether they are agreeable, or whether any of them have any thing to say on what has been said." It was put by the Chairman. The Chairman asked several of them whether they had any thing to say on what had been said; nobody speaking,

it was put from the Chair, and was carried unanimously. Mr. Brunt now came forwards with a proposition that he had to make. He proposed that as many of the ministers as they could form an idea that they could assassinate, that it should be done on Wednesday night, without an opportunity occurred that the ministers dined all together between this and the Wednesday night. That as many men as they could get together that would go forwards to the assassination of the ministers, as many as they thought they could assassinate, those men should be divided into separate lots. After the men were so lotted, he proposed then that out of each lot there should be a man drawn for the sole purpose of assassinating the party that they went to do; and whoever it fell upon to do the assassination, that man should be bound to do it, or be murdered himself. Whatever man the lot fell upon to do the part of the assassination, if he attempted the deed, and failed in doing it, he swore by all that was good that man should be run through upon the spot. Upon this I got up myself, and said to Mr. Brunt, "I wish to ask you this question upon the few words you have drawn: Do you suppose it is not possible for a man to go and attempt to do a thing like that, and for the man to fail in it? Do you mean to say that that man so failing shall be run through upon the spot himself?" He said, "No, certainly not; unless the man that attempts it, if there is the least sign of cowardice attached to it, I say that he shall be run through: but, if he fails in doing it, if he is thought to be a good man, of course he shall not be run through." Mr. Brunt here dropped his discourse for the present. It was put the same as the measure of Mr. Thistlewood, from the chair, and it was agreed to. Two minutes after this, before any thing had occurred, in came Palin, Potter, and Strange; they were asked to sit down by the fire, being wet, being covered with snow. Palin came and sat down next to me, as to the other two I cannot say. Thistlewood immediately proposed, or at least told them that the two plans they had drawn up between themselves, and which had been proposed by him and Brunt, had been stated;

but as they were not in the room at the time they were stated, he thought it highly necessary those plans should be stated to them.

Q. Did he relate them to them?

A. Yes, the same as before; Mr. Thistlewood his plan, and Mr. Brunt his, and they agreed to them the same as the rest had done. After this had been gone through by Mr. Thistlewood and Brunt, Palin gets up and says, "Mr. Chairman, I have a few words that I wish to speak on what has been dropped by Mr. Thistlewood and Mr. Brunt. Agreeing as I do with the plans that have been proposed, and having been one amongst the number that have held up my hand to assent to it, there is one thing I want to know: There are so many objects you have proposed to carry all at one time, certainly if it can be done it will be a great acquisition to what we have in view, but this is what I want to know—you talk of taking from forty to fifty men to the west end job; now I should be glad to know where you are to find those men that will take this cannon at Gray's-inn Lane?—those cannon at the Artillery Ground, where they are to come from—No doubt you know better what strength you have got than I do: As for my own part I can give no satisfactory answer at the present what strength or what men I can bring forward to assist me, but I want to know in the next place, before my going round to the men I intend to call upon this afternoon, I whether may be induced from the committee to communicate to them what is to be done, and then I shall better know how to act. I want to know," says he, "in calling upon the men, whether I can have the liberty to tell them in part, if not in full, what is to be done, and when they will be wanted?" The Chairman turning his head to Thistlewood and to Brunt, says, "I suppose Mr. Palin there is no doubt but what he knows what kind of men he will have to depend upon, he will know of course whether he can depend upon the men in case he states what the plan is, and when they will be wanted. If Mr. Palin gets men of that description that he can depend upon, I do not see where the harm will be in his communicating to them what is to be done."

Q. That was the answer given to Palin?

A. Yes, it was agreed to by Mr. Thistlewood and Brunt too, the Chairman, for Mr. Palin to have that liberty. Mr. Palin finding he had liberty to act in that kind of way, sat himself down and seemed satisfied. This finished the business to the best of my recollection; there was nothing transacted, regularly in the chair after that, but they began to think of going home to get their dinner, in order to go in the afternoon round to their different men. On this, Mr. Thistlewood, all on a sudden, turned himself round to Brunt, and said, "Oh Brunt, well thought of, now Mr. Palin is here, I would advise you to take him to the spot close by, and see whether it is practicable or not." That was, to go and see the new Furnival's Inn building in Holborn, to see whether it was practicable to clap fire to it.

Q. Fox Court is close by Furnival's Inn, I believe?

A. Yes, it is.

Q. In consequence of that, did they go out?

A. In consequence of that Mr. Thistlewood said, as it is not far, Mr. Palin and you go up together, and return here, and give a report in.

Q. Did they go?

A. They went, and were out of the room, I suppose, for the space of ten minutes to the best of my recollection.

Q. Palin and Brunt.

A. Yes.

Q. Were you there when they returned?

A. I was; when Palin and Brunt came back, Mr. Palin gave it in that it was a very easy job, very easily done, and it would make a damned good fire; on this they began to depart. I do not recollect that Mr. Palin continued in the room after that, but a very little while; but before they left the room Mr. Thistlewood said he thought it would be highly necessary, either Tuesday or Wednesday, to get what men they could together, and to give them a treat; but he did not know how this was to be accomplished, we are all so poor. Brunt turning himself sharp round on his heels, he was standing by the fire, walked

across the room, came back again—"Damn my eyes, I have not done little or no work for some time, but I have got a pound note for that purpose, and I will be damned if I do not spend it upon the men we have got."

Q. Upon that, did you separate at that time?

A. Not just directly: on this Thistlewood said, "Where can you take them to, I should suppose we might have the room below stairs at the White Hart." Brunt replied, "I do not know; I do not much like to go there after what has been said, but never mind. I do not see that we have no cause, as time gets on, to be afraid of the bloody traps; for if they come into the room they should not go out again." On this he bethought himself that he could send his apprentice, and his own son, out of the way by giving them a holiday, and that then he could have his own room; but he thought he should still call and hear what Hobbs should say.

Q. Hobbs is the landlord of the White Hart?

A. Yes, he is. Thistlewood at the same time said he would take them up to his room; but directly after, on giving it a second thought, he said "No, that will not do, as there is an officer that lives so opposite to me, that if that officer should perceive men coming backwards and forwards to my place it will be a means of giving some suspicion there is something in it." I believe, to the best of my recollection, that finishes the Sunday morning business.

Q. When did you meet again?

A. They met on the Monday morning; but I beg leave to state one circumstance that occurred in the interval of that time, of the meeting breaking up on the Sunday morning, and my calling on the Monday morning; on the Sunday evening I went to the White Hart——

Q. You must not tell us what passed with any body else—you went and had a communication with Hobbs at the White Hart?

A. Yes.

Q. That cannot affect the prisoner at the bar; therefore you must not state that.

A. Then we must drop that; but the principal part of what took place on the Monday morning arose in consequence of that.

Q. Tell us what took place on the Monday morning, and, as far as that is material, it will come out in that narrative.

A. On the Monday morning I went into the room about ten o'clock.

Q. Was the prisoner at the bar, Thistlewood, there?

A. Yes.

Q. Who else?

A. Brunt, Harrison, Hall, and Ings; I cannot charge my memory as to the others.

Q. What took place?

A. They asked me how I did. I told them rather unwell, I seemed to be rather down in the mouth. What passed at the moment I cannot precisely say, but I said to them, "Gentlemen, I have something to communicate to you." They all turned their eyes upon me directly, they wanted to know what I had to say. On this, I communicated to them what I had communicated to me the evening before.

Q. You told them what had passed between you and some other person on the Sunday night?

A. Yes.

Q. Who was that other person?

A. Mr. Hobbs, of the White Hart.

Q. Tell us what you told them?

A. I told them that Hobbs had told me that there had been a couple of officers, one from Hatton Garden and another from Bow Street, to ask him whether there was not a radical meeting held there; I told them, as Hobbs told me, there was information at Bow Street office, and likewise at Lord Sidmouth's office, that there was a meeting of that description held at his house the White Hart.

Q. This you told to the meeting?

A. Yes.

Q. Upon that what was said or done?

A. Harrison turned himself round to me like a bull dog, "Adams you have acted damned wrong." I said, "In what?" Brunt turned upon me like a lion, and said, "You have acted wrong;" he said, "whatever you had heard it is your duty to come and communicate it to me, or Mr. Thistlewood." I said, "I did not conceive that I had any right to withhold it from any one; that I thought it my duty to communicate it to all, as it concerned all." They swore at me again, and said I had no business to communicate it to any body except them two.

Mr. Solicitor General. Will your Lordship permit my learned friend Mr. Gurney, to proceed with the examination?

Lord Chief Justice Abbott. Certainly.

Mr. Gurney. What was said in answer to that observation of yours?

A. They said I had no business to communicate any thing I heard out of the room. I said, "What would you have thought of me had I after hearing such a communication as this—such a report as this out of doors, that the proceedings were reported out of Bow Street office and Lord Sidmouth's office, kept this to myself, and suffered you to go on: after you were taken and all prisoners, it would have come out that I was the person that knew of that, and might have prevented it."

Q. Did any thing particular more pass at that meeting?

A. There was nothing particular.

Q. How soon did you meet again?

A. There were some other circumstances on this morning before the meeting broke up. After I had met with this rebuff from them, they directly began to propose leaving, saying they had a number of men to call upon, and they must wait upon them; and that they had a meeting of what they called the Marybone Union.

Q. Was any thing proposed by either of them to be done respecting the Marybone Union?

A. Brunt said he must wait upon the Marybone club, and that there were several of them said they should attend there themselves; that they would all be there, for that

they wanted some money. It was asked by one in the room, whether he thought it would be of any use calling there upon that speculation? He told them yes, it would.

Q. Who said that?

A. I cannot charge my recollection who it was; it was one of the party. It was Brunt that said, "Yes, it would." I cannot recollect who it was that put the question.

Q. Before you went, was any arrangement made about where you were to be in the evening?

A. Yes.

Q. Where were you appointed to be in the evening?

A. I was appointed to be in the same room in the evening.

Q. That was the room in Brunt's house?

A. Yes; that was proposed by Thistlewood.

Q. Were you told what answer you were to give to any that might come?

A. I had no orders to that effect.

Q. Was there to be any meeting there that night?

A. There was not, further than this—I was ordered to attend in case any one should come that was not there in the morning; as those that were there in the morning, had all of them pretty well agreed to be in the Marybone Union that night.

Q. You were to say there was no meeting there that night?

A. Yes.

Q. Did you go there that evening?

A. I went to Brunt's room.

Q. Did any of the persons that you mentioned come there that evening?

A. Potter called, I think.

Q. Any body else?

A. No. I had not been there long before Potter, being wet, called, and said he would go and have a pot of beer, and he went to the White Hart.

Q. And you went with him?

A. Yes.

Q. Did any persons come to you there?

A. Yes.

Q. Who were they?

A. Palin and Bradburn.

Q. The next morning did you go again to the room?

A. Yes, I did.

Q. That was Tuesday morning, the 22d?

A. Yes.

Q. Who were there at that time, or in the course of the morning?

A. There were Brunt, Thistlewood, Ings, Hall, Davidson, Harrison, Wilson, Palin, Potter, and Bradburn.

Q. While you were there was any intelligence brought you respecting any Cabinet dinner?

A. Yes; Mr. Edwards came in, and went to Thistlewood, and tells him there was a Cabinet dinner to be on the Wednesday night.

Q. That was the next day?

A. Yes; Thistlewood said, "I do not think that is true."

Q. Upon that was any thing done to ascertain whether it was or not true?

A. Yes; Thistlewood proposed to send for a paper to ascertain it.

Q. Was a newspaper sent for and brought?

A. It was.

Q. Upon that what passed?

A. Upon the paper being brought into the room they were all satisfied, from the statement that the paper made.

Q. Was the paper read?

A. It was read by Mr. Thistlewood, he read it out; that the Cabinet were to dine at Earl Harrowby's, in Grosvenor Square, on Wednesday evening.

Q. What was said upon this being announced?

A. Upon this Mr. Brunt walked towards the window, "Now," says he, "I will be damned, if I do not believe there is a God; I have often prayed that those thieves may be collected all together, in order to give us a good opportunity to destroy them, and now God has answered my prayer." Upon this Thistlewood proposed that there should be a committee sit directly.

Q. Do you remember Ings saying any thing?

A. I cannot charge my memory at the moment.

Q. Who was put into the chair?

A. I was put into the chair myself.

Q. Upon that did any person make any proposition?

A. Mr. Thistlewood came and stood by me, after I was in the chair, and had called to order, he came and began to speak. 'Now I beg you to hear me state some things, which if you pay attention I will tell you, what has transpired.

Q. What did Thistlewood propose?

A. He proposed to sit directly, to form a fresh plan regarding the assassination. He was going to proceed, I, being in the chair, I interrupted him.

Q. What did you interrupt him to say?

A. I said, "Gentlemen, after what fell from my mouth yesterday morning, I hope you have all given it a due consideration."

Q. That was your mention of what Hobbs had said to you?

A. Yes; this same discourse had passed between me, Bradburn, and Palin, the night before.

Q. Had you mentioned to Palin what had passed the day before.

A. Yes.

Q. What did the meeting say or do upon this?

A. Upon this Harrison walked backwards and forwards in the room, they were all in a state of confusion, more like a set of madmen than men. Harrison looked at me, and said, "Damn your eyes! the next man that dropped a word to cool any man, and to prevent their going forward to do the deed they had determined on, he would run that man through with a sword."

Q. In the result, did you remain in the chair, or were you put out?

A. I remained for a few minutes.

Q. Were you put out then?

A. I was.

Q. Who was put in?

A. Mr. Tidd. Thistlewood wanted to proceed in the business, Palin sitting down, said, "No, stop, what has dropped from Mr. Adams's mouth, respecting what was communicated yesterday morning, I want to be satisfied on, before the business proceeds any further."

Q. Without giving me all the discussion that took place, did it end in Brunt making any motion to do any.thing?

A. Yes, Brunt got up; he proposed, in order to do away any suspicion from what had passed, that there should be a watch put on the Earl Harrowby's house that night.

Q. What was that watch to do?

A. There were to be two men go on at a time.

Q. What was the object of their watching?

A. The object of their watching was, that they should watch to see if any men or soldiers went into the house of Earl Harrowby, in order to way-lay any body that might go in.

Q. Was that motion approved of?

A. It was.

Q. At what hour that night was it ordered that any watch should be set?

A. At six;—men to go on at six stop till nine; at nine they were to be relieved by two more, that were to stop till twelve; then the watch was to commence again on the Wednesday morning, at four o'clock.

Q. That was carried, and the watch ordered?

A. Yes.

Q. What did Brunt say after that?

A. I cannot charge my memory.

Q. Did Hall make any motion?

A. Not directly;—Thistlewood then came forward, when Mr. Tidd was in the chair, "Now," says he, "after what has fallen from Mr. Brunt's mouth, I hope every one will be satisfied, if in case there is nobody found to go into the house, such as officers or soldiers."

Q. By officers do you mean police officers?

A. Yes;—that he thought it would be best to enter into a fresh plan; that if nobody was seen to go into the house,

they were determined to do what they talked of to-morrow evening; the plan altogether of the Sunday morning was altered, so far as respected the assassination. Mr. Thistlewood proposed that it would take from forty to fifty men—forty men ought to be allowed, but more if they could get them. "It would answer our end," says he, "much best their dining altogether, than to run the risk of taking them at their own houses separately. In doing that," says he, "we could not command more than three, I dare say, at most. In doing this," says he, "their meeting altogether, as there has not been a meeting so long, there is no doubt there will be fourteen, or we will say sixteen, which will be a rare haul to murder them all. I propose," says he, "going to the door with a note to present to Earl Harrowby; when the door is opened for the men to rush in directly, seize the servants what are in the way, present a pistol to them, and directly threaten them with death, if they offer to make the least resistance or noise." This being done, a party were to rush forwards to take the command of the stairs—two men were to be placed at the stairs, leading to the upper part of the house—one was to have fire arms, to be protected by another with a hand-grenade in his hand; a couple of men were to take the head of the stairs leading to the lower part of the house—those two men placed at the stairs leading to the lower part of the house, were to be armed the same as the others at the other stairs. If any servants attempted to make any retreat from the lower part of the house, or from the upper part of the house, these men with the hand-grenades, were to clap fire to the hand-grenades, and fling it in amongst them altogether. Two men at the same time were to be placed at the area, one with a blunderbuss and another with a hand-grenade—if any body attempted to make their retreat from the lower part of the house that way, they were to have a hand grenade thrown in amongst them there. At the same time all these objects were to be accomplished by the means of securing the house; those men who were to go in for the assassination, were to rush in directly after.

Q. Into what part of the house did he propose they should go?

A. Where their Lordships were.

Q. And what to do?

A. To murder all they found in the room, good or bad; he said, that if there were any good ones they would murder them for keeping bad company.

Q. Was this proposition agreed to or dissented from?

A. It is not finished. Ings volunteered himself to enter the room first—

Q. Did he say what with?

A. That he would go in with a brace of pistols, a cutlass, and his knife in his pocket, with a determination, after the two swordsmen that were appointed to follow him had dispatched them, to cut every head off that was in the room, and the head of Lord Castlereagh and Sidmouth he would bring away in a bag; he would provide for the purpose two bags. As soon as he got into the room he said he should say, "Well, my Lords, I have got as good men here as the Manchester Yeomanry. Enter citizens and do your duty." Upon this word of command from Ings, as I have before observed, the two swordsmen were to enter, to be followed by the rest of the men with pikes, pistols, cutlasses, or whatever it might be, and to fall to work immediately in murdering as fast as they could.

Q. Whom did Thistlewood propose to be the two swordsmen?

A. Harrison was one that he picked out, and I, myself, for another, being the only men, as he supposed amongst them, that were used to the use of the sword and men of the greatest strength and power.

Q. Had Harrison been a soldier as well as you?

A. Harrison had been in the Life Guards. On Harrison being proposed to go into the room, Thistlewood turned his head to me and said, "Adams, will not you be one?" I seeing no chance of escape, knowing that if I did not assent my life was in danger, I assented to it.

Q. Did Thistlewood propose any thing to be done in any other places except Lord Harrowby's?

A. After the execution was done in the house they were to leave the house as quickly as possible, in doing this, Harrison was the man that was appointed to go to King-street horse barracks—I believe it is in King-street, the barracks were the horses were at any rate, and to take one of those fire-balls to fling into the straw shed to set fire to the premises.

Q. Where was the party to go to from Grosvenor-square.

A. Harrison was to be supported by Wilson, after they had left the square they were to proceed—

Q. Do you mean Harrison and Wilson, or the rest of the party.

A. The rest of the party—they were to proceed to Gray's-inn-lane to the City Light Horse Barracks.

Q. For what purpose ?

A. For the purpose of meeting a party of men that were intended to be planted there, and in case those men found themselves not sufficiently strong to take the two pieces of cannon at the Light Horse Barracks, they were to wait their arrival and they would assist them.

Q. To what place were they to go then ?

A. They were to proceed from thence to the Artillery Ground, where Mr. Cook was to be appointed, in order to lend him a hand in case he had found himself not sufficiently strong to take the six cannon there.

Q. To what place where they to go then ?

A. Mr. Cook was to wait there for the arrival of Mr. Thistlewood, if he did not like to proceed he was to bring the cannon from the ground into the street, and to load it, in order to be ready to fire on any persons that might interrupt them, but if he found his strength sufficient to enable him to proceed he was to advance from there to the Mansion-house, if he found himself capable of advancing to the Mansion-house he was to divide the six cannon into two divisions, and take three on one side, and three on the other, three on that next the Royal Change, three next Cornhill, then he was to demand the Mansion-house, and, on a refusal, he was to fire at it on both

sides, it was thought on doing that they would soon give it up.

Q. Did he say what use was to be made of the Mansion-house?

A. It was for the provisional government to sit in.

Q. After the Mansion-house was taken and made a seat of the provisional government, what was done next?

A. This underwent a little alteration the succeeding day.

Q. Was any other place mentioned near the Mansion-house?

A. Yes, the Bank of England, that was the next place to be attacked.

Q. What did he say was to be done there?

A. To plunder the Bank of all they could get, but not to destroy the books if they could any way help it, for they thought by keeping possession of the books that would enable them to see further into the villany that had, he said, been practised in the country for some years past; the further proceedings, as far as the regulations of it altogether, were to be left till the Wednesday, but it was mentioned particularly that Palin's plan should be proceeded in the time, the same as had been proposed, but as to the time, they did not come to any decisive time, though it was talked of between eight and nine o'clock but it was not settled.

Q. Was any watch set on Lord Harrowby's house on the Tuesday night?

A. Yes.

Q. Who were the first that were set?

A. I wish to state something before that if you please.

Q. What is that?

A. After the chair was left, being in a bustle about the room, Harrison proposed there should be a counter sign, and the men that were to go about that day to inform men that were to help them the next evening should communicate the counter sign, the counter sign was *button*, the man that came up was to say, *b, u, t*, the man that was in waiting that was to be appointed to receive him, was to say,

t, o, n, these put together were to produce *button,* this being done was a token that the man that pronounced this was one of the party; a man was to be appointed to stand at the end of Oxford-road, in order to communicate to any man that came up to him the room where they were to be appointed to meet at the next night.

Q. In the course of that evening, or that night, did you go on watch at Lord Harrowby's?

A. I did, but there is something I wish to state before I come to that.

Q. Mention any thing I have omitted.

A. In the afternoon, if you will allow me, after I left them I called up in the room again, in going up stairs, I perceived a strange smell in the house, on going in I found Edwards, Ings, and Hall.

Q. What were they doing?

A. Edwards was making fuses to put to the hand-grenades.

Q. What was Ings doing?

A. Ings was dipping some rope yarn, picked for the purpose, into stuff to make what they termed the illumination balls for Mr. Palin.

Q. What was Hall doing?

A. Dipping those into an iron pot.

Q. He was helping Ings then?

A. Yes, he was, Hall was putting shreds of paper on the floor to receive these after they came from the pot, put to prevent their sticking to the hand, they were wrapped up in it.

Q. While you were there did any other persons come in?

A. Not then, I did not stop a very few minutes, I had a little business of my own, I called up again the same evening.

Q. When you called up again, what was that for?

A. When I called up again in the evening I found a couple of strange men I had never seen before.

Q. Whom did you find them to be?

A. I found one of them to be Harris; I do not know the name of the other.

Q. Were Brunt and Tidd there?

A. Brunt was there, Tidd was not, Thistlewood was there; there was nothing particular transpired.

Q. Did any body go off to keep watch?

A. Yes.

Q. Who went?

A. They did not go from there, to the best of my recollection.

Q. Did any body come as from the watch?

A. No; Davidson was one that went on at six o'clock.

Q. You suppose Davidson was to have gone at six?

A. He was there; because I was one that relieved him.

Q. When did you go?

A. About half past eight o'clock, Mr. Tidd came into the room, saying, that he was disappointed in a man that was to have met him, that he was to have brought up there: on this Tidd and Brunt, being appointed in the morning to go and watch at nine o'clock, they conceived it, within themselves, time to start; they started, and in less than five minutes afterwards Brunt came back again; they had, in the interval of Brunt's leaving the room, called at a public house in order to meet the man, and found him there. Brunt came back, saying that Tidd could not go; that Tidd had met the man that was to go, and that he was a man likely to be of great consequence; on this, looking round the room, he asked me to go. Just as I was going out, in came Edwards from the watch. I asked Edwards if there had been any thing particular seen, he said, "Whatever was seen I shall communicate to Mr. Thistlewood." I took that for a slap of the face for what had been said by me on the Monday evening.

Q. Did you go to Grosvenor Square?

A. I did.

Q. Who went with you?

A. Brunt.

Q When you got to the Square, whom did you find on the watch?

A. When I got to the Square I saw Davidson; Brunt went up to him, I walked forwards, there was another man, but to say who he was, I could not.

Q. Did Brunt and you keep watch?

A. Directly Brunt had relieved Davidson. I had, prior to going up to the Square, hinted to Brunt that I felt myself rather tired.

Q. Did you and he go to any public house?

A. Yes, we did; we had some bread and cheese, and porter; we took some bread and cheese with us, and got some porter there:

Q. Where is this public house?

A. Directly behind Lord Harrowby's house, at the corner of the Mews leading up to Lord Harrowby's house.

Q. Did you do any thing there?

A. There was a young man that was sitting there; there were, in fact, two or three that had been playing at dominos.

Q. Did either of you play at dominos with him?

A. This young man gave Mr. Brunt a challenge, and he played at dominos with him.

Q. Did you then go out and walk in the Square?

A. We stopped there till eleven o'clock, and then we went out.

Q. Did you walk in the Square?

A. Yes. I walked some time till I got ashamed of myself, and I walked to the back of the Square, and met him on the other side of it.

Q. Who relieved you?

A. Nobody.

Q. At twelve o'clock, did you and he go home?

A. We went home.

Mr. Solicitor General. On Wednesday, the next day, did you go again to Fox Court?

A. I went in the afternoon, not before. Mr. Edwards called on me before I was up; my wife was not dressed; she asked who was there.

Q. What time did you go to Fox Court,—were those persons assembled?

A. I went there between two and three o'clock.

Q. Whom did you find at Fox Court at that time?

A. I found nobody there but Mr. Brunt, in his own room; his wife was going in just at the time.

Q. That was in the front room?

A. Yes.

Q. While you were in that room, did any body come in?

A. Strange came in.

Q. Did Strange come in alone, or any person with him?

A. He came in by himself.

Q. Did any others come in?

A. Two more came in, in five minutes. I turned my head and saw two pistols lying upon the drawer. In consequence of these two fresh men coming in, Brunt proposed to go from that room to the room where we regularly met.

Q. Had any thing been done with the pistols before that:—had they been touched?

A. No further than handling them.

Q. Was any thing done with the flints?

A. Now I recollect:—they were trying the flints in them.

Q. Who was trying the flints in them?

A. Mr. Strange, and one of the strangers who came in.

Q. Brunt proposed going into the back-room?

A. Yes.

Q. In consequence of that, did they go into the back room?

A. They unlocked the door, and went into the back-room directly.

Q. Did you go with them?

A. I did. On going into the room, I saw a number of cutlasses. I saw a blunderbuss. I saw several pistols, and those pistols that were in Mr. Brunt's room as well were brought from there into the back-room. They placed themselves, the two strangers in particular, and began to put the flints into the pistols. We had not been long in the room before Mr. Thistlewood came in. Thistlewood had not been long in the room before Ings and Hall came in. Thistlewood on coming into the room looks round him. "Well, my lads, this now looks something like as if there was something going to be done." He comes to me, claps his hand upon my shoulder, and says, "Well, Mr. Adams, how do you do?"—I told him I was very unwell.

and was very low in my spirits. He said, "What is the matter?"—"Why," says I, "one thing, I have not had any thing to drink to-day. I feel myself very faint." He said, "you shall not be very long without."—He said, "Brunt, send out for something, Mr. Adams is low in his spirits." He said, "By God, you shall not be long without something," and he sent out for some gin and some beer.

Q. That was produced, I suppose?

A. Yes, in the interval of this time of the beer being fetched, Thistlewood said he wanted some paper in order to write some bills on.

Q. Upon that what was done?

A. He wanted a kind of paper, he could not tell what to call it but the paper the newspapers were printed on. I said to him,—"Cartridge paper will answer your purpose equally the same as the other, as you do not know the name of the other,—that will answer your purpose." Thistlewood said "who will fetch it?" Brunt says, "either my boy or the apprentice shall fetch the paper."

Q. He had both a son and an apprentice?

A. Yes.—He put his hand into his pocket, and gave Brunt a shilling to fetch half a dozen sheets of cartridge paper: the paper was brought, a table fetched out of Mr. Brunt's room, and a chair, in order for Mr. Thistlewood to sit down and write upon the table. Thistlewood sits down to write three bills to stick up against the different buildings that might be set fire to, to acquaint the public what deeds had been done. The bills, to the best of my recollection—I will not pretend to say that I can tell every word that was written on them.—

Q. Was this bill afterwards read by Thistlewood?

A. It was read by Thistlewood.

Q. Will you tell us what words he pronounced?

A. "Your tyrants are destroyed,—the friends of liberty are called upon to come forward,—the provisional Government is now sitting.—James Ings, Secretary, 23rd February, 1820." In writing the last bill, I perceived Mr. Thistlewood to be extremely agitated, so much so that

he could hardly write: he expressed himself to be extremely tired,—he did not know what was the matter with him, but he could not write any more.

Q. After these three last papers were written, was any thing else written?

A. There were three other bills that were proposed to be written—one was drawn up in part. These other bills were to make an offer to the soldiers.

Q. You say one of these was drawn up in part?

A. Yes.

Q. Was it drawn up by Thistlewood, or by any other person at Thistlewood's desire?

A. By another person at Thistlewood's desire.

Q. You have told us that Thistlewood was very much agitated, and expressed himself extremely tired: In consequence of that did he make any proposal to any other person that was present?

A. Yes; he proposed first that Hall should take the pen. Hall refused it: another man that was in the room, whom I had never seen before, was proposed to sit down and take the pen—he objected, but afterwards he took it.

Q. The proposal was made by Thistlewood to Hall, he declined. In consequence of which a proposal was made to another person in the room whom you do not know, but though he objected at first, he afterwards sat down and took the pen?

A. Yes.

Q. Did this person who took the pen write of his own head, or did Mr. Thistlewood, or any other person, dictate to him what he was to write?

A. Mr. Thistlewood dictated to him what he was to write.

Q. Will you tell us what was dictated, as well as you can recollect? I do not ask the precise terms, but the effect and the substance.

A. I will give you what I saw wrote———

Mr. Curwood. My Lord, I object to that.

Mr. Solicitor General. Did you hear the words expressed by Thistlewood?

A. Yes, not only then but several times.

Q. There are certain rules of law by which we must abide: tell us the words he dictated to that other man.

Mr. Adolphus. Tell me first, have you any memory of it but from having seen it in writing? Did you see it in writing?

A. Yes.

Mr. Solicitor General. Do you recollect what Mr. Thistlewood said at the time? What were the words that he uttered?

A. Yes, I can recollect so far as this—

Mr. Adolphus. I shall take your Lordship's opinion upon this. This professedly is reduced to writing. I apprehend when any matter is put down in writing that cannot lie nor alter, it is not to depend upon the recollection of a bystander, but having assumed an embodied form, the writing is to be the evidence of what is reduced to writing.

Mr. Solicitor General. To avoid all argument, let us ask a single question:—What became of those papers?—Were they left with Mr. Thistlewood?

Mr. Adolphus. That is not the way of putting the question.

Mr. Solicitor General. What became of those papers?

Mr. Adolphus. The mischief is done now by the question.

Lord Chief Justice Abbott. I am sorry for it, but I am not sure that, strictly, it is not correct, to ask whether they remained with him, or were taken away.

Mr. Solicitor General. What became of those papers?

A. I cannot say; the last time I saw them they were doubled up. I saw one in the hands of Mr. Thistlewood, doubled up; another in the hands of Ings, as he was equipped; I naturally supposed he had put it into Ings's hands.

Q. Have you seen any of them since?

A. No, never.

Mr. Solicitor General. Then now we have given notice to all the prisoners.

Mr. Adolphus. I admit the notice, but you do not prove the possession.

Lord Chief Justice Abbott. The last he saw of them was in the hands of Ings and Thistlewood. This is the last account we have of them; therefore you must trace them out of your possession.

Mr. Adolphus. These papers are a joint act written by another person.

Mr. Solicitor General. What became of the paper you are now describing, written by the dictation of Thistlewood?

A. I do not know what became of that more than another. I will tell you what I can swear was upon the paper.

Mr. Adolphus. That is just what I am objecting to.

Mr. Solicitor General. Was that paper completed?

A. It was not completed.

Q. What was the reason that it was not completed?

A. The reason it was not completed was, the man that was writing it and Thistlewood together could not come to know the particular terms respecting the wording of the bill altogether, and in consequence of that the bill was drawn. Mr. Thistlewood, at the same time, expressed himself very much dissatisfied, saying, that he had spoken to a man to do those bills for him as much as a fortnight ago, that the bills were drawn out, and he had not seen him since.

Q. You say he was not satisfied as to the whole of it; what did you hear Thistlewood tell him to write down?

Mr. Adolphus. I object to that.

Mr. Solicitor General. I did not ask what was written, but what Thistlewood told him to write down.

Lord Chief Justice Abbott. Do you argue it, or rely on the argument you have raised: you object to it on this ground, that inasmuch as what was said by Thistlewood was written;—we cannot hear what was said.

Mr. Adolphus. Yes, my Lord; and all the evidence which has come upon us since is, that all that he dictated was written, that the paper was left unfinished, and that he said he had given instructions to another man, a fortnight before, but that it was not done.

Lord Chief Justice Abbott. What became of this paper?

A. I do not know.

Q. In whose hands did you last see it?

A. The hands that I saw the writing in last, was the hand of the man that last wrote it.

Q. And who he was you do not know?

A. Who he was I do not know.

Lord Chief Justice Abbott. Mr. Solicitor General, we entertain some doubt.

Mr. Solicitor General. If your Lordships entertain any doubt, we will not press the evidence.

Lord Chief Justice Abbott. There is some doubt entertained in some part of the court—you will not press it, then.

Mr. Solicitor General. No, my Lord.—Before those bills were written, was Ings in the room?

A. Yes.

Q. Did he do any thing for the purpose of preparing himself in any way?

A. He was preparing himself in the manner he intended to enter the room where their Lordships were, he puts a black belt round his waist, in order to contain a brace of pistols, he puts another black belt on to hang a cutlass to his shoulder; after this there was a bag hung to each shoulder, a large bag to each shoulder, in the form of a soldier's haversack. When these bags were on, he placed a brace of pistols, one of each side—he hung a cutlass—he viewed himself and said, "Damn my eyes! I am not complete now—I have forgot my steel!" With that he pulled out a large knife, and began to brandish it about.

Q. Describe that knife?

A. I will mention it presently. He brandished his knife about as if he were in the act of cutting the heads of those he intended to cut off—he would bring away a head in each hand—and the hand of Lord Castlereagh he would cut off, and *procure* that which might at a future day be thought a great deal of; and these expressions of his have been repeatedly used; it would be impossible for me to say I could stand here and recollect the times he had said this.

Lord Chief Justice Dallas. He had expressed himself in this way many times?

A. Yes.

Mr. Solicitor General. He described the knife?

A. Yes, the knife is a large broad bladed knife, to the best of my recollection; it is from ten to twelve inches long, according to the calculation of my eye; the handle is bound with wax end; this was bound round as he declared, in doing the thing that his hand should not slip; and the breadth of the blade of the knife with the best calculation I could make with my eye—I never measured it——

Q. While Ings was arming what were the others doing?

A. Arming, fixing the leathers to hold pistols with, and placing them in the belts. Another man was busy in putting the cutlasses into slings, to hang by the wrists—it would be impossible to describe all the transactions.

Q. At what hour did the first persons leave the room, to go to these transactions?

A. As near as I can tell about half-past four, or a little before five.

Q. About half-past four or a little before five?

A. Yes, or from that to five.

Q. Do you remember Palin's coming in?

A. Yes.

Q. At what time do you suppose he came in?

A. About half an hour before I left.

Q. Tell us what passed when he came in?

A. Thistlewood and Brunt were there at the time, but Palin had not been in at the time before; Thistlewood and Brunt on some business or other left the room, but what I do not know: during their absence, Palin began the concern, to speak to what men there were in the room. He said, Gentlemen, I hope all that have met here this afternoon are well acquainted what you have met upon; you are informed what you are met here for; in the first place, you ought to think within yourselves, whether you are going to do your country a service or not—if you are

in possession of what you are going to do, you first of all ought to examine yourselves whether you think the assassination will be countenanced by your country—if you conceive that the assassination will be countenanced by your country, and that the people of the country, after you have done it, will turn of your side;—it is necessary, I say, that every man that is here going to turn out on this piece of business, will come to an explanation with yourselves, that every man that flinches from his duty, or turns out a coward, should be run through by one of the party directly on the spot, he said, unless you come to this determination, it will be impossible to do any good,—he was going on to say a few words more, but a tall man in the room interrupted him.

Q. Where were Thistlewood and Brunt then?

A. They were not come in.

Q. Do you know who that tall man was?

A. No.

Q. Should you know him if you saw him?

A. No.

Q. What did he say?

A. He said, you seem to speak as if every man were in possession of what we were going upon, now this is what I should like to know, what we are actually going about

Q. That man was a stranger; had he attended the previous meetings?

A. He had not.

Q. It was the first time you had ever seen him?

A. It was the first time I had ever seen him. He said to Palin, I can see pretty well the meaning of your speech, as for myself, if we come to any determination to turn out, with a view to serve our country, I am a man that is not afraid of himself, and that man that is afraid of himself, ought not to have any thing to do with a concern like this.

Q. How long was this before Brunt and Thistlewood came into the room?

A. I do not recollect seeing Thistlewood after that on that day.

Q. Do you remember Brunt starting?

A. Yes.

Q. At what time, and who went with him?

A. Brunt came after this, and perceiving an alteration in the countenance of the meeting, he wished to know the cause of it;—he was told there were some in the room who wanted to know further of the plan, and what they were to do.

Q. Upon this being told to Brunt, what did he say or do?

A. He said, this was not the room for them to be told what they were to do, but go along with him to the other room in Edgeware Road, there every one should be apprised of what they were going about. Brunt directly began to wish to put them in movement—in order to go, he said he would take good care all that went along with him should have a drop of something to drink, to put them in spirits. This tall man, in answer to that said, "I hope you are not going to drunkenness, because drunkenness in a thing like this was of no good; because a man drunk the only service he is of is to run himself into the hands of his enemies.

Q. That was the same stranger you mentioned before?

A. Yes.

Q. After this did Brunt go away?

A. He began to be on the movement to go away.

Q. Who went with him?

A. I went out first, and there was Strange at that time and this tall man, and three or four others, that I do not know, that went with him—it was agreed they should go along the street, in order to put a stop to any suspicion from going along in a body, they were to walk two and two in the street, and not to walk in a body with each other. I starts, and going along Holborn I had a tap on the left side, calling me by my name, Mr. Adams.

Q. Who was that?

A. I cannot swear to that, it was a little man.

Q. Was he one of the persons who had been at this meeting?

A. Yes.

Q. You had now got out of the room?

A. Yes.

Q. Was there any cupboard in the room?

A. Yes.

Q. What was usually kept in that cupboard, during the interval from the time you first went into the room, after your first liberation from prison?

A. That cupboard was applied to keep the different things that were brought to the room, such as swords, the first thing I saw in it—the next thing were some hand grenades.

Q. Do you remember any flannel bags?

A. Yes.

Q. What purpose were they used for, and how were they filled?

A. For the cartridges for the cannon.

Q. Were they filled?

A. I saw one filled, and no other?

Q. You have said before, there were some poles which appeared to have been recently cut?

A. Yes.

Q. And some ferules fixed on them, where was that done?

A. In Brunt's room.

Q. In the back room?

A. In the back room.

Q. Were all the arms kept in the room?

A. No, they were not.

Q. Where were the rest kept?

A. The depot was at Tidd's.

Q. Do you know where Tidd lived?

A. Yes.

Q. Where was it?

A. In the next room adjoining to myself.

Q. That was in Hole-in-the-Wall Passage?

A. Yes.

Q. Near Baldwin's Gardens?

A. Yes.

Q. Was that the place where the greater part was kept, or how?

A. That was the place I found them after I came from prison, the day or night afterwards, that was the place appointed to take in things. Thistlewood was always in a hurry when there was any thing in readiness to be taken there—he called it the depot.

Q. Did he give any reason for that?

A. Yes.

Q. What was that?

A. In case any body should come up, such as any officers, or any person, who had no knowledge of their intention, to see these things, might have some suspicion that there was something in it more than they were aware of, that these things should be put out of the way, in order for a blind.

Q. You have told us a short time ago, you and several persons left the place at a certain time, what had you—had you any arms?

A. I had a blunderbuss; it was proposed I should carry it being tall; that I should with the sling that was attached to it, cover my coat over it, without its being seen, and Brunt had got a broomstick prepared to receive a bayonet, it was proposed I should take this, which would serve as a walking stick.

Q. Was there any other description of arms but those you have mentioned, that you knew of?

A. There were the hand-grenades.

Q. You have talked of pike handles, were there any pikes made for them?

A. Yes.

Q. What were they made from?

A. From old files pointed up.

Q. Were there any old bayonets?

A. There were some old bayonets.

Q. You have mentioned a kind of blunderbuss you were directed to carry, what kind of barrel was it?

A. Brass.

Q. Did Brunt go with you all the way?

A. When this little man came to me, in Holborn, and told me to slacken my pace, that Brunt was gone back,

that if I would slacken my pace they would overtake me, before I got to the top of Oxford Road, in consequence of this, I slackened my pace; I then went on to the top of Oxford Street, this side where Park Lane leads to, I crossed over to see who was behind me, seeing no one behind me that I had no knowledge of, I turned to the wall to make water.

Q. You found none of your party were in sight?

A. No.

Q. Did you in consequence turn back?

A. I went forwards.

Q. Did you afterwards turn back?

A. I afterwards turned back to the end of Park Lane.

Q. Did you meet Brunt?

A. I did not then.

Q. Did you afterwards meet Brunt?

A. I met him afterwards.

Q. Where did you meet Brunt?

A. Some considerable way below Park Lane, but I had been walking about so long.

Q. You had missed your associates, and returned back and met Brunt?

A, I met Brunt, and he said where are you going? I said, I am going home:—then there was another man with him—I said I do not know where to go—I did not know where to go.

Q. It at last came to this, that you returned with him?

A. I returned with him.

Q. Did you go along the Edgware Road?

A. I did.

Q. Did you then meet Thistlewood?

A. I did.

Q. Did you then with Brunt and Thistlewood go on to Cato Street?

A. Yes.

Q. Where did you go to in Cato Street, did you go to a stable?

A. Yes.

Q. When you got to the stable who did you see at the stable door, or near it?

A. As I got to the archway I walked some short way behind them, I saw Brunt enter, Thistlewood followed.

Q. Did any body come up while you were staying behind, and say any thing to you?

A. Harrison came up and said, Adams, come, go in.

Q. Who did you see in the stable?

A. I saw on the ground floor Davidson, sitting down, and Wilson standing, it appeared to me as if they were doing something to the pikes.

Q. Did you go up the ladder?

A. Yes.

Q. Did you find Thistlewood there?

A. Yes.

Q. Who else?

A. I found Thistlewood and Brunt, Ings, Hall, Bradburn, Strange, Cooper, Wilson, (Wilson was below) this tall man I have alluded to, and several others that I did not know by name.

Q. How many were there above stairs, in the first place?

A. There were above stairs at the conclusion of it——

Q. When you first came?

A. I cannot say.

Q. How many were there at the conclusion of it?

A. At the conclusion Thistlewood made—at the conclusion there were eighteen, and two below.

Q. When you went in did you see any carpenter's bench?

A. Yes.

Q. What was on it?

A. Arms of different descriptions.

Lord Chief Justice Abbott. There were candles then?

A. Yes, one.

Mr. Solicitor General. Was there any chest at that time?

A. Yes, at the end of the window where I placed myself—a kind of a trunk.

Q. When you first went in what were they doing?

A. I found them all handling the different things, some cutlasses.

Q. Was there any refreshment of any kind?

A. There was some beer standing on a table or a bench.

Q. Was Tidd there at that time, or did he come in afterwards?

A. I did not see him for twenty minutes before the officers came in.

Q. When Tidd came in what passed?

A. Tidd proposed going from the room to the square, to see whether there was any noise particular, or whether the ministers of state were getting together to Lord Harrowby's house, and he was gone for some time.

Q. Who was?

A. Thistlewood. On Thistlewood's coming back, as I was standing up in the loft I heard below stairs in the stable a deal of talking, in consequence of that I went down.

Q. Who did you see below?

A. I found Thistlewood, Brunt, Davidson, Harrison, and Wilson, on going down into the stable; as soon as they perceived me, before they perceived me, they were talking closing together, they saw me and said what good news they had got, and all in a bustle; I said, what good news? and they said, the carriages are getting there as fast as they can, no less than six or seven carriages are already arrived—Brunt turned round, and said, "Damn my eyes! what a haul we shall have amongst them!"

Q. Did you go up stairs after this?

A. Yes.

Q. What happened?

A. The first thing was seeing Thistlewood and Brunt in this form together—seeing Thistlewood much agitated.

Q. Did Tidd afterwards come in?

A. Yes.

Q. How soon afterwards?

A. A very little while.

Q. Before Tidd came in was any thing said about Tidd?

A. Yes, that was what Thistlewood and Brunt were talking about, on Thistlewood turning away, it was perceived there was something the matter. Ings turned round

and said, "Do not think of dropping it now, if you do I shall hang myself—I shall go mad." It turned round the room, that Tidd was not like to come—Thistlewood said, he would forfeit his existence that Tidd would come—afterwards I saw him come in.

Q. Without going through the detail of all that passed up stairs, was any thing afterwards done or said by Thistlewood, to move some of them on one side to ascertain what should be done?

A. On Thistlewood making an observation at the end of the bench, that he hoped they would not give up what they had begun, if they did, it would turn out another Despard's job——

Q. Was that after Tidd came in?

A. Yes, upon this Thistlewood began to count the number of men that were in the room—"Let us see, there are eighteen in the room, two below stairs, altogether there are twenty—you say there are not sufficient to go—I say there are plenty."

Q. After he had counted those above stairs, and those below, and said there were plenty, what did he propose?

A. He said, fourteen would be sufficient to go into the room, and the other six would be sufficient to take care of the servants, and of the house—on this the fourteen men were picked out on that side of the room that the ladder led into, on the men being called together there, Brunt starts the gin bottle round, which I believe he produced from his pocket: "Now (says he) I conceive this number of men is quite sufficient."

Q. Brunt said?

A. Thistlewood—"Supposing Lord Harrowby should have sixteen servants, they are not prepared, we are, we can go and do what we have to do and off, in ten minutes time." I do not recollect any thing particularly dropping from Thistlewood after that.

Q. Did you hear any disturbance below about that time or shortly afterwards?

A. Almost directly afterwards.

Q. What did you hear or see?

A. We heard a person down below, and all of a sudden there was a voice at the bottom of the ladder—Holla! shew a light.

Q. At the bottom of the ladder leading up to the loft?

A. Yes, upon this signal being given at the bottom of the ladder, Thistlewood turned round to the candle at the bottom of the bench, and turned round to see who was coming; and he put the candle at the bottom of the bench quite confused. At this instant of time the officers ascended the ladder, took the command of the room, at the head of the ladder in the room.

Q. What do you mean by the command of the room?—got into the room?

A. Got into the room.

Q. How many?

A. Two stood in the room, at the top of the ladder, with two small pistols, presenting them in this way, and said, "Holla, is any body in the room? here is a pretty nest of you." The officers said, "Gentlemen, we have got a warrant to apprehend you all, and as such we hope you will go peaceably;"—at this instant of time one of the officers that was behind upon the ladder, "Make way, (said he) and let me come forward." This was the man that was murdered.

Q. A man that was behind on the ladder, said, Let me come forward?

A. Yes.

Q. The two officers at the head of the ladder made way to let him come in; at this instant of time there was a group that had got into a little room?

A. Yes.

Q. A group that had got into the little room before the officers had come there?

A. After the officers had entered the room.

Q. Was it a group of persons that had been in the room before the officers had got there, who had got into the little room?

A. Yes;—and on this the man that was murdered came into the little room—this group in the little room came

forward, and amongst the group I saw an arm rush suddenly forward, at the same time I saw a pistol.

Q. When the officers came forward, you saw one arm advance forward, with a sword in it?

A. I did not perceive what weapon he had.

Q. But you saw an arm?

A. Yes.

Q. And another arm with a pistol?

A. Both at one time—the hand that presented the pistol was rather below the arm that presented the other weapon.

Q. What was done with the other arm?

A. As soon as ever the pistol was fired, out went the candle, that it was impossible for me to see what transpired.

Q. Did you get away then?

A. On this it was given out that one of the officers was murdered.

Q. Did you get away?

A. Yes.

Q. How?

A. After the officers got out and called for the soldiers to assist them, I went into the little room, to see who was there.

Q. Did you get away?

A. I did.

Q. How?

A. I went down the ladder and through the stable, as unquashed as if nothing had been the matter.

Q. Did you go home?

A. Yes.

Q. This was on the Wednesday night?

A. Yes.

Q. How soon after were you apprehended?

A. On the Friday.

Q. Have you been in custody ever since?

A. Yes, I have.

Q. Look at the prisoners that are standing at the bar, and tell us their names. Who is that below?

A. Thistlewood.

Q. Is that Thistlewood?

A. Yes.

Q. Who is that behind him, the man of colour?

A. Davidson.

Q. Who is on Davidson's left?

A. Wilson.

Q. Who is that in the green coat?

A. Brunt.

Q. Who is that who has moved?

A. Ings.

Q. The butcher?

A. Yes.

Q. Do you know the other man on the right hand of Brunt, with a coloured handkerchief?

A. Cooper.

Q. Who is that short man, do you know him? [*Strange.*]

A. I cannot say that I can swear to the man, I have seen him.

Q. Now the other man, who is that? [*Bradburn.*]

A. I do not know his name.

Q. Now the tall man behind?

A. That is Harrison.

Q. Who is that standing by him? [*Gilchrist.*]

A. I do not know him by name.

Q. Now the other one, the stout man?

A. That is Tidd.

Mr. Solicitor General. There are two or three that he has not spoken to, I wish they would stand forward.

A. I cannot say that I can swear to that man. [*Strange.*] I know his face too, but there is a difference in the dress, or something.

Q. Do you know that man? [*Bradburn.*]

A. I have some recollection of him, but to swear to him I cannot.

Q. Go down from the place where you are. (*The witness removed.*) Who is that? [*Strange.*]

A. I do not know the man by name, to say I can command his name, but I know him by sight.

Q. Did you see that man at any of the meetings?

A. Yes, I think I have.

Cross examined by Mr. Curwood.

Q. You went with a full intention of assassinating his Majesty's ministers?

A. No, I did not, I deny that.

Q. What carried you there?

A. My legs.

Q. Look at the Jury, will you.—Your legs carried you there?

A. Yes.

Q. What intention carried you there?

A. What intention?—I certainly cannot say, but I went there under that pretension to every outward appearance.

Q. What was your inward intent?

A. My inward intent was entirely against them.

Q. Against them?—which did you say, against them, or against it?

A. Against the plan that was pursued.

Q. According to your own account you had attended many meetings at which this plan was debated?

A. I had.

Q. One night you were chairman, you say?

A. One morning.

Q. Then if your intention was against it, how came you to join them again?

A. I joined upon them in this way, Gentlemen of the Jury, there had been threatening language several times held out by Brunt, if any man that belonged to the party concerned, withdrew himself from it, he would take care that that man should be marked out—what could I do then?

Q. Then it was fear made you join them?

A. It was fear that kept me to them.

Q. Your original friend, I think you say, was Mr. Brunt?

A. Yes, my original acquaintance.

Q. And you became acquainted with him in the year 1816, at Cambray, you say?

A. Yes.

Q. Were you then a soldier?

A. No.

Q. You had quitted the army for some years then?

A. Yes.

Q. What line of life had you been in, after you quitted the army?

A. Principally in my trade, as a shoemaker.

Q. Were you ever a treasurer at a benefit fund?

A. Never in my life.

Q. What carried you to France at that time?

A. I went with the intention to follow my trade there.

Q. Had you no other motive for leaving England?

A: Any other motive?

Q. Yes.

A. Not in particular.

Q. Did you carry much money with you?

A. I carried some with me.

Q. How much might it be?

A. Between thirty and forty pounds.

Q. Was not it more than that?

A. No.

Q. Was it all your own?

A. I conceived it my own.

Q. Some persons conceived it belonged to other people?

A. What other persons conceived I do not know; but what belongs to me I will acknowledge to the truth of.

Q. Were not you charged with carrying away money belonging to other people?

A. No.

Q. You never were charged before a magistrate with it?

A. No.

Q. You went to France to carry on your trade as a shoemaker?

A. Yes.

Q. That was your sole motive?

A. Yes.

Q. Having become acquainted with Brunt, what purpose did he introduce you to Mr. Thistlewood for?

A. For the purpose of assassinating the ministers.

Q. That was the purpose of the first visit?

A. Yes, this was proposed to me by Brunt before I ever saw Thistlewood.

Q. And that being proposed to you, you agreed to be introduced to Thistlewood for that purpose?

A. Yes.

Q. And you joined every meeting where that question was debated till you were taken into custody?

A. Not every meeting.

Q. A variety of meetings?

A. Yes.

Q. And having joined for that purpose——

A. Yes.

Q. And having joined for that purpose, and having heard it debated, you still continued to go to those meetings?

A. Yes.

Q. You told us you were selected for your adroitness at the sword?

A. Yes.

Q. Were you to be the most active at the assassinating plot?

A. I told you before, I was to be one to be appointed as a swordsman to go into the room along with Harrison.

Q. How long is it since you have been an evidence to give an account of this plot?

A. The first account I ever gave in was on the Saturday after.

Q. Did you give it then under any understanding that you were to become an evidence?

A. I did not.

Q. It was from pure compunctious visitings of your own breast that you then disclosed it?

A. It was, indeed.

Q. Not out of any regard for your neck?

A. The motive I did it with was this: my conscience

was accused I had acted wrong, and I leant to heart; and I made a solemn vow, that if God Almighty would spare me, I would make a disclosure of all I knew.

Q. You did not like to be hanged?

A. I do not know who would.

Q. And you had rather thirteen others would be hanged than yourself?

A. I only came here to give the truth; if it is against the prisoner I cannot help it.

Q. Had not you rather thirteen men should be hanged on your evidence than that you should be hung yourself; however, I will not distress you about that, but you had none of those feelings before you were in custody?

A. Yes, I had some prior to that.

Q. How long before you found yourself in custody?

A. I had them before I entered the room, but after I entered the room, and the man was murdered, I was worse.

Q. Before you entered the room that day?

A. Yes.

Q. Were you very much shocked at it?

A. I were.

Q. Because just now you told me you went down stairs and walked away as if nothing had happened?

Mr. Solicitor General. He did not say that.

A. I walked down to give myself up to the officers, but I saw none, and I did not find the officers, and I walked off.

Q. You found no officers?

A. No.

Q. And that is the reason you did not surrender yourself?

A. Certainly.

Q. Did you think of surrendering yourself the next day, before you were taken?

A. I did not think of surrendering myself, nor of making any escape; I made up my mind to run all chances.

Q. To wait the event?

A. Yes.

Q. As you have given us a very circumstantial account how many were the most that at any time you saw assembled?

A. The most that I saw assembled together were on the 20th of February, in the morning; there were about fifteen, I think; leaving the room in Cato Street out of the question.

Q. Were any of them wealthy men that you have not named?

A. I know no more than I know here.

Q. All poor men?

A. All poor men for what I know.

Q. You sent one day for the paper?

A. Mr. Thistlewood did.

Q. How did you raise money to pay for that paper?

A. I am not to tell how Mr. Thistlewood came by his money.

Q. Was it not raised by a halfpenny and penny raised round the room?

A. No.

Q. How was it raised?

A. Mr. Thistlewood gave the money out of his pocket and sent Hale to fetch it.

Q. I do not mean the cartridge paper, but the newspaper?

A. I mean the newspaper too.

Q. The utmost you saw, before the meeting in Cato Street, was fifteen men?

A. Yes.

Q. What was the largest sum of money you found among them?

A. The largest sum was six shillings, which I saw produced by Thistlewood to Brunt.

Q. Somebody said he had a one pound note in reserve on this great occasion?

A. That was Mr. Brunt.

Q. It was proposed, you say, not only to assassinate the ministers, but to take the two guns in Gray's Inn Lane, and the six guns at the Artillery Ground, and to seize the Mansion-house?

A. Yes.

Q. As you seem to have been deep in this, where were the forces to come from to do all this?

A. That I cannot tell; I speak no more than what I know.

Q. Then you never saw any return of the men that could be brought into the field?

A. Never.

Q. Where was the depot?

A. At Tidd's.

Q. Was it in a corner cupboard?

A. They were kept in a box under his window—the grenades, and as to the pike staves, they were put out of sight, where I do not know.

Q. Did you see any cannon-ball any where?

A. No.

Q. What were you to do with the cannon when you got them, do you know?

A. Yes—in the first place they intended to put a cartridge into the cannon, and in the next place it was proposed to take a sledge hammer along with them, and knock off the iron railing to charge the cannon with, as it was conceived it would do greater damage than cannon-ball; this was the proposition of Mr. Thistlewood.

Q. You have not told us yet where the men were to come from?

A. I do not know, and what I do not know I will not answer to.

Q. I think you named a person of the name of Edwards there continually, where is he now?

A. I do not know.

Q. Have not you seen him to-day?

A. I have not seen Edwards since the 22nd.

Q. He was a very active man there generally?

A. I have seen him as active as the rest of them.

Q. More active than the rest?

A. He seemed to be in more close communication with Harrison, Brunt, Thistlewood, and the rest of them.

Q. You do not know where he is now?

A. I do not know, I never heard of him.

Q. What newspaper was it you received the information of the dinner from?

A. The New Times.

Q. Have you since learned whether it was true, there was to be a dinner there or not that day?

A. I have never made any enquiry, but I saw it in the paper myself.

Q. You only know what the paper informed you?

A. No.

Q. You have given a confused description of what passed in the hay-loft.

A. I do not know what loft it was.

Q. It was over a stable?

A. Yes.

Q. The unfortunate accident was to a man who said, make way, let me come forward?

A. Yes.

Q. And you described an arm came forward with a sword in it?

A. I did not say a sword.

Q. Were you pretty near at that time?

A. I was at the end of the room, under the bench, next to Cato Street.

Q. How near was that arm to your own body?

A. I suppose it could not be above four or five feet off; I mean the arm that extended from the door.

Q. Was not your own arm within sufficient reach to have done that mischief yourself?

A. It could not be, for I had not an instrument of any description in my hand.

Q. Answer the question—was not your own arm within sufficient reach to have done that mischief yourself?

A. I might have done it with a pistol, but not with a sword.

Q. Then you were not sufficiently near?

A. I was not.

Q. Do you recollect who put out the candle?

A. I do not know whether it was put out by the report of the pistol, or blown out intentionally.

Q. You did not put it out?

A. I did not; at the report of the pistol the candle was out instantly.

Re-examined by Mr. Solicitor General.

Q. You were at Cambray?

A. Yes.

Q. Were you carrying on your trade there?

A. Yes.

Q. Were the English soldiers there?

A. Yes.

Q. Were you carrying on your trade among the English soldiers and officers at the time?

A. Yes.

Eleanor Walker called.

Lord Chief Justice Abbott. It is quite impossible we can finish to-night—we must feel that on all sides.

Mr. Attorney General. As far as we can save time, our attention has been directed to that—but then it becomes proper to consider the most convenient time, to break off for the night, so that we may have strength for another day.

Lord Chief Justice Abbott. Will you conclude now?

Mr. Attorney General. This is the most detailed examination.

Lord Chief Justice Abbott. It is quite clear we must have a third day, and therefore we need not exhaust ourselves the first day. Is there any preparation to accommodate the Gentlemen of the Jury?

Mr. Sheriff Rothwell. There is, my Lord.

Lord Chief Justice Abbott. Gentlemen of the Jury, according to what we learn from the Attorney General, and the Counsel for the Defendant, it is impossible that you, or I, or any person concerned in this trial, should have strength to go through it without adjournment. Probably some of you have come from a distance, and as we must adjourn, probably you may think this as convenient a time as any other—proper care has been taken to provide for you.

Adjourned to to-morrow morning nine o'clock.

SESSIONS HOUSE, OLD BAILEY,

Tuesday, 18*th April*, 1820.

The Prisoner was set to the Bar, the other Persons indicted with him being placed behind.

Thistlewood. My Lord, will you have the goodness again to-day to indulge me with a seat?

Lord Chief Justice Abbott. Certainly.

Davidson. If your Lordship will be pleased to let me have a seat—I was very unwell last night, with standing so long?

Lord Chief Justice Abbott. They may place two or three chairs there, and you may relieve one another.

Eleanor Walker sworn.

Examined by Mr. Gurney.

Q. Are you servant to Henry Rogers?

A. Yes.

Q. Where does he live?

A. At number 4, Fox Court.

Q. Is that in Gray's Inn Lane?

A. Yes.

Q. Had you a lodger in your house of the name of Brunt?

A. Yes.

Q. What rooms did he occupy?

A. Two.—One was a large one, and one a small one.

Q. On what floor?

A. The second floor.

Q. Where they front or back rooms?

A. Front.

Q. Both front?

A. Yes.

Q. In the month of January last was there any two-pair stairs back room to let?

A. No, there was not to let—there was one occupied—a back room was occupied in January.

Q. Did the person come in in January, or when did he come in, to the best of your remembrance?

A. In January.

Q. Who introduced him to you?

A. Mr. Brunt.

Q. As well as you can recollect, how long before Brunt was taken up?

A. A month or five weeks.

Q. Brunt you say introduced him to you?

A. Yes.

Q. Did Brunt tell you what he was?

A. No, he did not tell me what he was—he said he was lately come from the country, and he wanted a lodging, and he knew we had one to let, and he wished us to take him in.

Q. Did you afterwards find out the name of that person?

A. No, I never heard the name.

Q. At what was the lodging taken, how much a week?

A. Three shillings.

Q. Was it furnished or unfurnished?

A. Unfurnished.

Q. Did the person tell you any thing about furniture?

A. He said, perhaps he might not bring his goods in for a week or better.

Q. Did he ever bring any furniture in?

A. No, not to my knowledge.

Q. Should you know him again—the lodger.

A. No, I do not think I should.

Q. And you do not recollect hearing him called by his name?

A. No, I do not.

Lord Chief Justice Abbott. What room was it that was taken?

A. The two pair back room.

Mr. Gurney. While this person occupied the room, did you see any persons go up and down stairs?

A. I have never seen them. I have heard people go up and down stairs, but not seen them.

Mary Rogers sworn.

Examined by Mr. Gurney.

Q. We understand you live in Fox Court?

A Yes.

Q. And that Brunt lodged with you?

A. Yes.

Q. Eleanor Walker is your niece and servant?

A. Yes.

Q. Do you remember the circumstance of her letting the two pair of stairs back room?

A. While I was absent she did.

Q. Did you ask any question of Brunt, your lodger, who it was that had taken your room?

A. I did, after he had been in my house about a week.

Q. What did he say respecting him?

A. I said, "Mr. Brunt, you have brought in a lodger, I understand, I hope he is a good one." He says, "I hope he is, Mrs. Rogers—I have no doubt he will always pay you." I said, "I think it is very right I should know." "I know nothing more of the man," says he, "than the seeing him at a public-house, and that he was enquiring for a lodging; knowing you had one to let, I recommended the lodging."

Q. Did he say what he was?

A. I asked him what he was—he said he was a butcher out of work.

Q. Did he ever sleep there?

A. Not to my knowledge.

Q. Did he ever bring any furniture in?

A. Never.

Q. How many weeks did he pay you for?

A. Four or five, I could not swear which.

Q. While he was there, did you observe any persons going up and down stairs?

A. I did once—one evening.

Q. Was that when you were going to put your children to bed?

A. I was putting my children to bed.

Q. How many did you observe going up?

A. Three—the middle of the three was a black man.

Q. Were you upon the stairs as they went up?

A. No, I had a little room up the one pair; and as I came from my own door, the light from my room shone on their faces.

Q. You were on the landing-place?

A. I was—I saw them go up.

Q. At other times, have you observed whether any persons were going up and down stairs?

A. I have early in the day seen a strange man, but taken no notice who nor what they were.

Q. Had you in any parts of the day, observed persons going up and down stairs?

A. No—being so seldom at home, I had no opportunity.

Joseph Hale sworn.

Examined by Mr. Gurney.

Q. Are you apprentice to Brunt?

A. Yes.

Q. How long have you served of your time?

A. Two years the 3rd of last February.

Q. Have you lived with him in Fox Court?

A. Yes.

Q. Do you remember any person taking the back room two pair of stairs in Fox Court in January?

A. I remember a person coming up there, but I do not know exactly what month it was.

Q. Who was that person?

A. It was a butcher,

Q. What was his name?

A. Ings.

Q. Who looked at the room with him?

A. Brunt.

Q. Brunt and he looked at the room together.

A. Yes, they did.

Q. After they had looked at the room, or while they were looking at it, did you hear Brunt say any thing to Ings?

A. When they came out of the room I heard Brunt say to Ings, "It will do, go down and give them a shilling."

Q. Brunt said that to Ings?

A. Yes, he did.

Q. After that time did Ings use to come to the room?

A. Yes.

Q. Who kept the key of the room?

A. The key of the room was mostly left in Brunt's room.

Q. Then when Ings wanted to go into the room, what did he do?

A. He used to come to Brunt's room for the key.

Q. From that time till your master was taken up, did there use to be any number of persons coming to that room?

A. Yes.

Q. Was that seldom or frequent?

A. Every evening.

Q. Whom have you seen come to these meetings every evening?

A. Different persons.

Q. Can you give me an enumeration of their names?

A. Yes.

Q. Who were they?

A. Ings, Tidd, Thistlewood, Bradburn, Edwards, Hall, Potter, Strange.

Q. Do you remember a man of the name of Adams?

A. Yes.

Q. Did he come?

A. Yes.

Q. Do you recollect any black man or man of colour?

A. Yes.

Q. What was his name?

A. Davidson.

Q. Did he come?

A. Yes.

Q. Do you remember whether there were more than those you have named?

A. I remember more used to come, but I do not know their names.

Q. How long in the evening did they use generally to stay?

A. Nearly about two hours in general.

Q. Was there any furniture in the room?

A. None that ever I saw.

Q. What did they do for seats?

A. They used to take chairs in out of Brunt's room, to sit on.

Q. Did you hear them talking occasionally, and speaking to each other.

A. No.

Q. Did you ever hear them call Thistlewood by any name?

A. Yes—they used to call him sometimes *T.* and sometimes *Arthur.*

Q. Do you remember any day seeing the door open, and observing any thing in the room?

A. Yes.

Q. What did you see?

A. I saw some long poles.

Q. What were they like?

A. They were like branches of trees.

Q. Cut rough from the tree?

A. Yes.

Q. How many do you think?

A. I suppose about twenty.

Q. Did you at any time hear any work going on in the room?

A. Yes.

Q. What kind of work?

A. I have heard hammering and sawing.

Q. Your master was taken up on Thursday, the 24th of February, was he not?

A. Yes, he was.

Q. On the Sunday morning before that—that would be the 20th—was there any meeting in that room?

A. In the morning?

Q. Was that a meeting of the usual number, or a smaller, or a larger number than usual?

A. There were more that morning than ever I had seen come up before.

Q. Were the persons whom you have named to me all there?

A. Yes.

Q. After the meeting had broken up, did you see any person in your master's room with him?

A. In my master's own room there was one.

Q. Who was that?

A. Strange.

Q. He had been at the meeting you have told me?

A. Yes, he was.

Q. Was there any meeting on the Monday evening?

A. Yes.

Q. On the Tuesday evening was there any meeting?

A. Yes.

Q. On the Wednesday do you remember any number of persons coming?

A. There were several persons in and out in the course of the day.

Q. Did any of them come into your work-shop?

A. Yes.

Q. That was one of the front rooms?

A. Yes.

Q. Did they do any thing there?

A. Yes.

Q. What?

A. They had got some pistols, and were putting new flints into them.

Q. How many pistols do you think you saw?

A. Five or six.

Q. Did they finish flinting the pistols there?

A. No.

Q. What stopped them?

A. One of the men said that there were people overlooking them, and Brunt told them to go into the back room.

Q. Overlooking them from the opposite house?

A. Yes.

Q. Who were the persons who were so putting in the flints?

A. Strange, and a man whom I did not know.

Q. Did they then go into the back room?

A. Yes.

Q. In the course of that afternoon, how many persons do you remember seeing in that back room, or going in and out of it?

A. I cannot say, but I saw several in the course of that day.

Q. Did you see Thistlewood there?

A. Yes.

Lord Chief Justice Abbott. On the Wednesday?

A. Yes.

Mr. Gurney. In the course of the afternoon, did he ask you for any thing?

A. Yes.

Q. What did he ask you for?

A. A piece of writing paper.

Q. Did you give him a sheet of writing paper?

A. Yes, I did.

Q. To what place did he take it?

A. I believe into the back room.

Lord Chief Justice Abbott. You gave it him in your master's room?

A. Yes.

Mr. Gurney. After that did any person come out of the back room and give you any order to fetch any thing?

A. Yes.
Q. Who was that?
A. My master, Brunt.
Q. What did he desire you to get?
A. Six sheets of cartridge paper.
Q. What money did he give you?
A. Sixpence.
Q. Did you go and buy it?
A. Yes.
Q. To whom did you give it?
A. My master.
Q. Where did he take it to?
A. He took it into the back room.
Q. About what time, as well as you remember, in the afternoon was that?
A. Between four and five.
Q. At about what time did the persons who were in that back-room go away?
A. The last that went away, about eight in the evening.
Q. Did any of them go away about five or six?
A. I believe they did; I heard people go down stairs.
Q. You were in your work-shop?
A. Yes.
Q. Did your master go out?
A. He was in and out several times in the course of the day.
Q. What time did he go away finally?
A. About six.
Lord Chief Justice Abbott. You did not see him after six?
A. No.
Mr. Gurney. He went away as you thought about six?
A. Yes.
Q. Was he alone, or was there any person with him.
A. There was a man with him.
Q. Do you know that man?
A. I do not know whether I should know that man again.
Q. Was that one of the men you had been used to see there?

A. No.

Q. Had any table from your mistresses room been taken into the back-room?

A. Yes.

Q. On that day?

A. Yes.

Q. When your mistress was going to drink tea, did you want that table?

A. Yes.

Q. What did you do to get it?

A. I went to the back room for it.

Q. Did you go in or knock at the door?

A. I knocked at the door.

Q. Who opened it?

A. A man by the name of Potter.

Q. Did you ask for the table, and did he give it you?

A. Yes.

Lord Chief Justice Abbott. You did not go in?

A. No.

Mr. Gurney. By the opening of the door, were you enabled to see whether there were any persons in the room besides Potter?

A. Yes.

Q. How many do you think there were?

A. About four or five.

Q. After your master was gone, did you see Tidd?

A. Yes.

Q. At about what time?

A. Between seven and eight—nearly eight.

Q. Into which room did he come?

A. Mrs. Brunt called him, and he came into her room.

Q. What did she then do?

A. She took him to the cupboard, and shewed him a pike head and a sword.

Q. This was in your master's room.

A. Yes.

Q. What passed about them?

A. Mrs. Brunt asked him what she could do with them.

Q. What did he do with them?

A. Mrs. Brunt gave them to him, and he took them out of the room, I believe into the back-room.

Q. After that time, did you hear any persons go down stairs.

A. Yes.

Q. Did any person come into Mrs. Brunt's room?

A. Yes.

Q. Did he leave any message?

A. Yes.

Q. What was it?

A. He said if any person came up after any one, he was to be sent to the White Hart.

Mr. Justice Richardson. Whose direction was that?

Mr. Gurney. He does not know the person, My Lord.—Did any persons come shortly after, and enquire for your master?

A. Yes.

Q. Were they sent to the White Hart?

A. Yes.

Q, Did you go and shew them the way?

A. Yes.

Q. Did any person come whose name you have mentioned?

A. In the course of the evening.

Q. Did Potter come.

A. Yes.

Q. Did you send him to the White Hart?

A. Yes.

Q. Did you go and shew him the way?

A. No, he knew the way.

Q. How many were those you had gone to shew to the White Hart?

A. Three.

Q. Was Potter alone, or were there any persons with Potter?

A. There were some persons with him.

Q. Did your master come home that night?

A. Yes.

Q. At about what time?

A. At about nine o'clock.

Q. Did you observe any difference in his dress from what it was when he went out?

A. It was dirtier.

Q. Did he appear composed or otherwise?

A. No.

Q. In what state did he appear to be?

A. He seemed confused.

Q. Did you hear him say any thing to his wife of what had happened?

A. I heard him say to his wife it was all up, or words to that effect.

Q. What else did he say?

A. He said that where he had been a great many officers had come in.

Q. Any thing else?

A. Just as he spoke these words a man came in.

Q. Did he say any thing about himself before the man came in?

A. He said he had saved his life, and that was all.

Q. You say, just as he had said that, another man came in?

A. Yes.

Q. Do you know the name of that man?

A. No.

Q. What did Brunt say to him upon his coming in?

A. He shook hands with him, and asked him, when he came in, if he knew who had informed.

Q. What answer did the man give?

A. He said "No."

Q. Did the man say whether any thing had happened to him?

A. Yes; he said he had a dreadful blow on the side, and was knocked down.

Q. Did Brunt say any thing more?

A. Yes.

Q. What did he say?

A. He said "there is something to be done yet."

Q. After that, what did he and the other man do?

A. They went away together.

Q. After they were gone did you and Mrs. Brunt do any thing?

A. Yes.

Q. What did you do?

A. We went into Ings's room.

Lord Chief Justice Abbott. That was the back room?

Mr. Gurney. What did you see there?

A. I saw several things in the cupboard.

Q. Were the poles there which you had before seen,—the twenty poles.

A. Only one.

Q. In the cupboard you saw—what?

A, I saw several rolls of brown paper with tar in them.

A. Any paper twisted up?

A. Yes.

Q. What paper was that?

A. A piece of cartridge paper.

Q. Did you see any thing with strings?

A. Yes.

Q. How were the strings?

A. They were rolled round them.

Q. How large were they?

A. About as big as two fists.

Q. What do you understand them to be?

A. I have heard since they are hand grenades.

Q. Did you see any iron pot?

A. Yes.

Q. Had you seen that before?

A. Yes.

Q. Who had it?

A. Brunt had it.

A. Yes.

Q. Had he had it long, or was it a new purchase?

A, He had had it some time.

Q. Weeks or months?

A. Some time before, I cannot say how long, he used to use it himself in his own room.

Q. At about what time did your master come home again?

A. On the Wednesday evening about eleven o'clock.

Q. Did he give you any directions before he went to bed?

A. Yes.

Q. What?

A. He told me to get up in the morning as soon as I could, and to clean his boots.

Q. In what condition were they?

A. They were very dirty.

Q. The next morning did you get up early?

A. He called me about half past six.

Q. What did he say to you?

A. He asked me if I knew the Borough. I told him, yes.

Q. Did he ask you as to any particular part of the Borough?

A. He asked me if I knew Snow's-fields, I told him no.

Q. After this, did he and you go into the back room?

A. Yes.

Q. What directions did he give you?

A. He told me to bring a basket in out of his room and put in the things out of the cupboard.

Q. Did you and he put any things into the basket?

A. Yes.

Q. Was there one basket or two?

A. Two baskets.

Q. Were the things out of the cupboard put into those baskets?

A. Yes, they were.

Q. Did he tell you who lived at Snow's-fields that they were going to?

A. Yes.

Q. Who?

A. Potter.

Q. After the things were put into the baskets, were either of the baskets put into any thing else?

A. One of them was.

Q. What was that?

A. One of them was tied in a blue apron.

Q. They were rush baskets ?

A. Yes.

Q. Whose blue apron was that ?

A. Mrs. Brunt's.

Q. What use had been made of that blue apron before ?

A. It had been put up as a curtain in Ings's room.

Q. Was the other basket tied in any thing ?

A. No.

Q. Did any thing happen directly after this ?

A. Yes.

Q. What ?

A. We went into Brunt's room to look for something o tie the other basket in, and two officers came up.

Q. Did they take your master into custody ?

A. Yes.

Q. Did they search the room and take the baskets ?

A. Yes.

Q. Among the persons you have spoken of, where did 'idd live ?

A. In the Hole-in-the-wall-passage, Brook's-market.

Q. Where did Adams live ?

A. Next door to Tidd.

Q. You have been at the lodgings of both ?

A. Yes.

Cross-examined by Mr. Adolphus.

Q. Brunt was your master ?

A. Yes.

Q. Was he a master shoe-maker or a journeyman ?

A. A journeyman.

Q. In very poor circumstances ?

A. No.

Q. Had he any journeymen with him or under him ?

A. No.

Q. You and he did all the work he had to do ?

A. Yes.

Q. What was Tidd ?

A. A shoe-maker.

Q. Living very near you?

A. Yes.

Q. How many children had your master?

A. One.

Q. Had Tidd a wife and children?

A. He had a wife—I believe he had children.

Q. Was he a poor man?

A. I do not know.

Q. What was Mr. Adams?

A. A shoe-maker.

Q. He was a shoe-maker too?

A. Yes, he was.

Q. You have mentioned those meetings that took place from night to night, how many nights do you think they came there?

A. I cannot say how many nights?

Q. I do not mean that you should be upon your oath to the number, but how many, as nearly as you can state confidently?

A. He had come nearly five weeks.

Q. Ings had the lodgings nearly five weeks?

A. Yes.

Q. Do you mean that there were meetings every night during that time?

A. I believe there were.

Q. What number were there there?

A. I cannot say, but the most I ever knew of were the Sunday morning.

Q. That was not the time you went in?

A. No.

Q. How many were there then?

A. I cannot say how many exactly, I think there were about twenty.

Q. You think there were as many as that?

A. Yes.

Q. Did you see them as they went up or together?

A. I saw them as they went up.

Q. Did you know any of the other persons you have named, who, and in what situations they were?

A. Yes, I knew some of them.

Q. Who were they?

A. Strange.

Q. What was he?

A. He was in a boot-maker's shop.

Q. Making or selling?

A. Selling in the shop.

Q. What were the others?

A. I do not know any of the rest.

Q. You have talked of one Mr. Edwards, was he there pretty often?

A. Yes, he was very often.

Q. What was he?

A. I believe, an artist.

Q. What do you mean by an artist?

A. Makes figures.

Q. What, in the Crown's description, is called a modeller?

A. Yes.

Q. Do you know any thing more of him?

A. No.

Q. He was there pretty constantly?

A. Yes.

Q. Was he, or Adams, there the oftenest?

A. Edwards was there the oftenest.

Q. How often do you think Adams was there, to your knowledge, in the whole?

A. I cannot say how often, he used very often to come up on business.

Q. But to that room of Ings's?

A. I cannot say how often.

Q. Edwards was there daily almost, I suppose?

A. He used to come almost every day.

Q. What was Hall, do you know?

A. A tailor, I believe.

Q. Where did he live?

A. I do not know.

Q. A journeyman?

A. I believe he was.

Q. All persons of like rank in life?

A. Yes.

Q. How many persons do you think were there at any one time on the Wednesday?

A. I cannot say.

Q. You spoke of nine being there, do you know of more being there at one time?

A. Not that I know of.

Q. The rush baskets you have spoken of, were they common rush baskets such as people take to buy little things in and bring them back?

A. Yes.

Q. And the whole materials you found there were packed into those rush baskets?

A. Yes.

Q. Did they fill them, or did they lap over?

A. They filled them.

Lord Chief Justice Abbott. They intend to produce them I understand.

Mr. Adolphus. Yes, so I understand my Lord, however these two rush baskets contained them all, and one of them was covered with a lady's apron?

A. Yes.

Q. You spoke of twenty branches of trees, are you sure you saw as many as twenty, we say currently twenty, might not there be only ten, or a dozen, or fifteen?

A. There were as nearly as I can guess about twenty.

Q. You say they were branches of trees in a green raw state?

A. Yes.

Q. You do not know how they came there, you did not see them brought in?

A. No.

Q. There was only one left on the morning of the Wednesday?

A. No.

Q. Did they keep a fire in the room?

A. I believe they did.

Q. We know what a winter we have had, you went one evening to get out the table, was there a fire there then?

A. Yes.

Q. There was a pot which had been used there?

A. Yes.

Q. Whether those poles were used to light the fire or not, you cannot tell, but there was one left?

A. Yes, there was.

Thomas Smart, sworn.

Mr. Adolphus. That is your only name, is it?

A. Yes.

Mr. Adolphus. He was called first by the name of John by my learned friend.

Lord Chief Justice Abbott. Your question is very natural after that certainly.

Examined by Mr. Littledale.

Q. You are watchman in the parish of Saint George, Hanover-square?

A. Yes.

Q. Do you recollect being on the watch on the 22d of February last?

A. Yes.

Q. Where do you watch?

A. On the south side of Grosvenor-square, my box nearly faces Lord Harrowby's.

Q. At what time in the evening did you go on your watch?

A. We go on at eight o'clock at that time of the year.

Q. Do you recollect, soon after you went on the watch, any thing particular attracting your attention?

A. I saw four very suspicious men walking about the square, I thought they were after no good, two tall and two short, one was a black man or almost black.

Q. What time was that?

A. Half-past eight—after I had called half-past eight

—I thought they were very suspicious characters, and I looked at them.

Q. Should you know them again?

A. I think I should not.

Q. Did you watch them?

A. I did take particular notice of them—they walked very upright, and carried a stick—they were looking down the areas, and taking notice of the areas.

Q. Was Charles Bissix a watchman on the watch?

A. Bissix is a watchman at the other corner—we join every half hour at the corner of South Audley Street.

Cross-examined by Mr. Curwood.

Q. It is no uncommon thing for you, as a watchman, to see people that you think suspicious?

A. Very common.

Henry Gillan sworn.

Examined by Mr. Bolland.

Q. Where do you live?

A. At 15, Mount Street, Grosvenor Square.

Q. What are you?

A. Servant to Mr. Whittle, apothecary.

Q. Do you ever use the Rising Sun public house, in Charles Street?

A. Yes.

Q. Where is Charles Street?

A. It runs into Grosvenor Square, and into Mount Street.

Q. Is it in the street or at the corner of the street?

A. At the corner of the Mews.

Q. Do you remember being there on Tuesday night?

A. Yes.

Q. What night was that?

A. The 22d of February.

Q. Did you see either of the prisoners there?

A. Yes, that short man with a brown coat on.

Mr. Bolland. That is Brunt, my Lord.—Was he alone, or in company with any other person?

A. There was a tall man along with him.

Q. Did they take any refreshment?

A. Yes, some bread and cheese, and some porter.

Q. Did you play with them at any game?

A. Yes, the dominos lay on the table, and that man challenged me to play a game at dominos with him.

Q. Did you play with him?

A. Yes, two games I played with him.

Q. Did you leave the house first or they?

A. I did.

Q. What time did you go away?

A. A little before ten.

Q. Leaving them there?

A. Yes.

John Hector Morison sworn.

Examined by Mr. Attorney General.

Q. I believe you are a journeyman cutler to Mr. Underwood, in Drury Lane?

Lord Chief Justice Abbott. Is it in Drury Lane, or in some court there?

A. In Drury Lane.

Mr. Attorney General. Do you remember at any time about Christmas last, any man bringing you a sword?

A. Yes, on Christmas Eve.

Q. He brought that to your master's shop?

A. Yes, he did—I was in the shop.

Q. What was the man's appearance?

A. He was habited like a butcher.

Q. For what purpose did he bring this sword into your master's shop?

A. He inquired of me if I ground swords, I said yes—he produced one from underneath his smock frock, without a scabbard.

Q. Having produced it, did he leave it with you for the purpose of being ground?

A. Yes, he left it for the purpose of being ground and set, particularly at the point.

Q. Did you ask him, or did he give you his name, at that time?

A. It is customary for us to ask the name of the person who leaves an article, and he said, put the name of Eames, as I understood, but I am rather hard of hearing, and it might be the name of Ings.

Q. Did you grind it?

A. Yes.

Q. Did he call for it again?

A. Yes, in about three days.

Q. Did you see that person again?

A. He called about a fortnight after, with another sword.

Q. What sort of a sword was that?

A. A very long one, much longer than the other, a sort of cavalry sword.

Q. What did he bring that for?

A. He said, he wanted that ground in the same manner as the last. I did not inquire his name at that time, knowing him again.

Q. Was that ground for him?

A. Yes.

Q. Should you know that man again?

A. Yes.

Q. Look and see whether he is there?

A. Yes, he is the person at the bar behind the first one, at the left-hand side—that side—*(pointing out Ings.)*

Q. Do you think you should know the swords again?

A. Yes—there is only one I have seen, that is the same.

Mr. Attorney General. By and by, my Lord, we will shew it to the witness—we will not interrupt the case now. Was that shewn you by one of the Bow Street officers?

A. Yes—that was the one left at Christmas.

Edward Simpson, sworn.

Examined by Mr. Attorney General.

Q. Are you corporal major of the second regiment of Life Guards?

A. Yes.

Q. Do you know a person of the name of Harrison.

A. Yes.

Q. Was he in that regiment?

A. Yes, he was.

Q. Is Harrison at the bar?

A. Yes, John Harrison *(pointing him out.)*

Q. When was he discharged from the Life Guards.

A. In 1815, I believe.

Q. Was it 1815, or later?

A. In 1814, I believe.

Q. That is six years ago?

A. Yes.

Q. At the time he was in the regiment, was he in the King Street Barracks with you?

A. Yes, he was.

Q. By being there, had he the opportunity of knowing the barracks?

A. Yes.

Q. I believe one side of the barracks looks into Gloucester Mews, or did?

A. There were windows on that side.

Q. Was there a window next Gloucester Mews from any loft of the Barracks?

A. Yes, there were five windows.

Q. In those lofts, what was kept?

A. Hay and straw.

Lord Chief Justice Abbott. Were all those five windows in the loft, or only one of them?

A. Five windows in the loft.

Mr. Attorney General. At the time Harrison was in the barracks, have you ever seen him in those lofts?

A. Yes, frequently.

Q. You say the windows are now stopped up, when were they stopped up?

A. It was some days after the affair happened at Cato Street.

Q. At the time of the affair in Cato Street those windows were in the loft?

A. Yes.

Cross-examined by Mr. Curwood.

Q. How many men are there in the barracks in King Street?

A. It is not a barrack for men, it is for horses only.

Q. How many men are there in the Barracks at Kensington?

A. I really cannot say the number.

Q. I thought you might know as a soldier.

A. Nearly 300 I should suppose.

Q. How many foot guards are there usually in town?

A. That I do not know.

Q. Are there a thousand?

A. Upon my word I cannot say.

Q. You may know pretty nearly the number?

A. To say that exactly I cannot.

Q. Do you know any thing of a man of the name of Adams?

A. No, I do not.

Q. There are usually 300 men in the Knightsbridge barracks, you say?

A. Yes, I should think about that.

James Aldous sworn.

Examined by Mr. Attorney General.

Q. You are a pawnbroker in Berwick Street.

A. Yes.

Q. Do you know the prisoner Davidson, the black man.

A. Yes.

Q. Do you know him from his having pledged things at your shop?

A. Yes.

Q. Do you remember on the 23d of February last, his coming to your shop to take any thing out of pledge?

A. I do.

Q. What was that, that he wanted then out of pledge?

A. A blunderbuss.

Q. Did he have it out?

A. Yes, he did.

Q. Was that in the forenoon?

A. In the morning.

Q. What kind of a blunderbuss was it?

A. Brass-barrelled.

Q. Was it a large blunderbuss or a small one?

A. About this length *(eighteen or twenty inches.)*

Thomas Hiden sworn.

Examined by Mr Gurney.

Q. Are you a cow keeper?

A. Not now I am not..

Q. Were you a cow keeper?

A. I have been.

Mr. Adolphus. How do you spell your name?

A. *H, i, d, e, n.*

Q. What were you in February last?

A. I sold milk. I kept a cow at that time.

Mr. Gurney. Were you formerly a member of a shoemaker's club?

A. I was.

Q. At that club, have you met a man of the name of Wilson?

A. I have.

Mr. Gurney. Let Wilson stand forward *(Wilson stood forward.)*

Q. A few days before the 23d of February last, did you see Wilson?

A. Yes, I did.

Q. Do you mean Wilson the man at the bar.

A. I do.

Q. Did he make any proposition to you?

A. He did.

Q. What was that proposition?

A. He met me in the street as I was walking, and asked me if I would be one of a party to come forward to destroy his Majesty's ministers.

Q. Did he say where they were to be destroyed?

A. He did not:—he said at a cabinet dinner; that they were waiting for a cabinet dinner, and all things were ready.

Q. Did he say what sort of things they had got ready?

A. He said they had some such things as I never saw, which he called by the name of hand grenades.

Q. What more did he say?

A. He said they depended upon me to be made one.

Q. Did he mention the name of any of his associates?

A. He said Mr. Thistlewood would be glad to see me, if I would make one.

Q. Did he say what use was to be made of the hand grenades?

A. He told me they were to be lighted with fuses, and to be put in under the table.

Q. What then?

A. And all that escaped the explosion was to die by the edge of the sword, or some other weapon.

Q. Did he say any thing about fires?

A. He said they meant to light up some fires, and by so doing it would keep the town in a state of confusion for some days, and it would become a general thing.

Q. Did he explain what he meant by lighting fires,—what was to be fired?

A. He nominated some houses.

Q. What places do you remember that he mentioned?

A. I remember Lord Harrowby's to be one; Lord Castlereagh's another; the Duke of Wellington's—

Mr. Curwood. Do you mean houses or persons?

A. I mean houses.

Mr. Gurney. Were there any other buildings mentioned?

A. Lord Sidmouth's, and the Bishop of London's, and some other that I do not remember. I heard those mentioned.

Q. Do you remember any other buildings that he mentioned?

A. I do not.

Q. Did you acquiesce, or what did you do?

A. I told him I should make one.

Q. How many days, to the best of your recollection, was this before the discovery at Cato Street?

A. I believe four or five days before.

Q. Before that did you go to Lord Harrowby's?

A. Yes, I did.

Q. On what day did you go?

A. I am not quite certain.

Q. Was that before the day on which the discovery was made at Cato Street?

A. It was.

Q. Did you follow his Lordship to the Park?

A. I did.

Q. Did you give him any information of what had been communicated to you?

A. I gave him a note with information.

Q. On Wednesday the 23d did you see Wilson again?

A. I did.

Q. At about what time of the day?

A. I believe it was between four and five o'clock in the afternoon.

Q. Where did you meet with him?

A. In Manchester Street, as I was going home.

Q. By Manchester Square?

A. Yes.

Q. You were going with some milk?

A. No, I was going home with one of my little girls in my hand?

Q. What did he say?

A. He called me by the name of Hiden, and said I was the very man he wanted to see. I asked him what there was going to be, and he said there was going to be a cabinet dinner that night at Lord Harrowby's, in Grosvenor square.

Q. Did he tell you where you were to come to?

A. I asked him where I was to meet them, and he told me I was to go up to Cato Street, to the public house by the sign of the Horse and Groom, and there I was to go in—it is the corner of Cato Street—or otherwise I was to stop at the corner, till I was shoved into a stable close by.

Q. Did you make any enquiries of him, as to their numbers?

A. I asked him what time I should meet them, and he said by a quarter before six, or six, I was to be there.

Q. Did you ask him as to how many there were in it?

A. I asked him how many there were to be there, and he said about twenty or thirty.

Q. Did he tell you whether there were to be any others in other places?

A. I asked him whether there were going to be any others in other places, and he said there was to be another party in the Borough, another in Gray's-inn-lane, one in Gee's-court, or otherwise in the City, I cannot be certain which.

Q. Did he say any thing about Gee's-court particularly?

A. He said that all Gee's-court were in it, but they would not act unless the English were in it.

Q. What did he say about Gee's-court?

A. He said they were all in it, but would not act unless the English began it, for they had been deceived so often.

Q. Did he inform you what people live in Gee's Court?

A. I understood they were Irish.

Lord Chief Justice Abbott. Do you know where Gee's Court is?

A. Yes, it goes out of Oxford Street, one end of it goes

into Oxford Street and another end of it into Edward Street, or some street there: I know the part perfectly well.

Mr. Gurney. Is it near the Market?

A. Opposite St. George's Market, the other side.

Q. What did he say?

A. He told me not to be long, he said to me the first time, there was a gentleman's servant who had been supporting some of the party with some quantity of money, and if they would act upon the subject, he would give them a good deal more.

Q. Did he mention any thing about any arms, any fire arms?

A. He said they had some arms—he asked me whether I had got a gun—I said yes, I had, but it was a rubbishing one.

Q. Did he say any thing more about it?

A. I told him the lock of my gun was at the gunmakers to repair—he said they would provide me with a gun, and something to work it with.

Q. Did he tell you any thing about cannon?

A. He said there were two pieces of cannon in Gray's Inn Lane, that they could get at very easily, by breaking in some small doors.

Q. Did he mention any place in the city, at which they were to meet in the course of the night?

A. He said there were four pieces of cannon at some artillery ground, which they could easily get by killing a centinel.

Q. After getting them did he say where they should go to?

A. He said, that after doing the grand thing in Grosvenor Square, they were to retreat and meet somewhere in the neighbourhood of the Mansion House.

Q. Did you and he then part?

A. He told me, I was to be sure to come to my time, or else if I was late, the grand thing would be done before I came.

Q. Did you go to John Street that evening?

A. I did.

Q. At what time?

A. I think nearly seven o'clock.

Q. I believe, the entrance to Cato Street from John Street is under a little gateway at the corner of the Horse and Groom?

A. It is—the Horse and Groom is the corner house that joins Cato Street and John Street.

Q. When you got to this gateway whom did you see?

A. I saw Wilson and Davidson.

Q. By Davidson do you mean the black man?

A. The man of colour.

Q. Is that the man at the bar?

A. It is.

Q. You had seen him before, I believe.

A. Repeatedly.

Q. Did Davidson speak to you?

A. He did.

Q. What did he do?

A. He said, I was behind my time—I said yes, we served a family with milk, and I was obligated to go there first.

Q. Did he ask you to do any thing?

A. He asked me if I would go in—I said I could not go in, for I was going for some cream—he said if I would go in Mr. Thistlewood was there.

Q. You say you had known him before?

A. Yes, I had.

Q. Had he ever mentioned Thistlewood's name to you before?

A. He had, several times, as he had called upon me, and I had seen him with two or three more friends.

Q. You say Davidson asked you to go in, you said you had something else to do—did he mention any thing about time?

A. I told him I must go and get the cream—and he told me I must take care to come to my time, if I could. I asked him what time they should leave there—he said about eight o'clock.

Q. Did he tell you what to do if you should come after your time?

A. He told me if I was not there at the time they left

Cato Street, I was to follow them down to Grosvenor Square, and the fourth house from the corner of Grosvenor Square there I should find them.

Q. Did he mention on which side of the square?

A. The bottom part of the square, the further side of the square, the bottom side next Charles Street.

Cross examined by Mr. Adolphus.

Q. How many days before the 23d of February was it that you first saw Wilson?

A. I saw him a long time before—seven or eight months.

Q. How long before that had you this first conversation with him?

A. Four or five days.

Q. Was that before the Sunday preceding that Wednesday on which this happened?

A. I am not certain of that.

Q. Was that on the Sunday?

A. I cannot say—I am not certain—it was four or five days before.

Q. There is nothing depends upon it more than your endeavouring to fix the time—do you think it was before or after that?

A. I am not able to think—I am not certain.

Q. You saw nothing further of him before the Sunday—you never conversed with him again till the 23d?

A. No.

Q. You never went by his invitation, nor saw any other person?

A. No, I did not.

Q. You went very properly, very commendably, and gave information, such as you had, at Lord Harrowby's house?

A. I did.

Q. You did not see his Lordship there, but followed his Lordship, and communicated it to him?

A. Yes.

Q. What day was that?

A. I am not able to say.

Q. The 23d was Wednesday—was it the Saturday, Sunday, or Monday, or Tuesday?

A. I do not know what day it was—I cannot state that exactly.

Q. How long before you saw Wilson again in Manchester Street, Manchester Square, had you been at Lord Harrowby's?

A. I had been at his Lordship's house after the time that I saw him and had the conversation—between the time I saw him first, and the day I saw him in Manchester Street.

Q. How many days before?

A. A day or two.

Q. It might be as early as the Monday?

A. It might be a day or two before, but I cannot speak precisely to that.

Q. All his communication was made to you, as you stood in the street?

A. The last communication was, as we walked up and down Manchester Street, and towards the barracks in King Street.

Q. How long might you be occupied in that conversation?

A. Probably from half an hour to three quarters of an hour.

Q. Between four and five o'clock were you out with your milk?

A. No, I was not.

Q. Afterwards, when you got to Cato Street, you told them you must go and get cream—find it where you could—and they let you go?

A. Yes.

Q. And you went?

A. Yes.

Mr. Gurney. Will your Lordship permit me to ask a question? Is that the letter you gave to Lord Harrowby? *(shewing it to the witness.)*

A. Yes, it is.

Q. It is addressed to Lord Castlereagh?

A. Yes.

Mr. Adolphus. How came you to direct your attention to Lord Harrowby?

A. I could not see Lord Castlereagh.

Q. You had called?

A. I had not called, but had walked before the house.

Q. And not seeing him, you went to Lord Harrowby's?

A. Yes.

Foreman of the Jury. Is that your own hand-writing?

A, Yes, it is.

Mr. Adolphus. You have used the phrase his Majesty's Ministers—was that the phrase that was used by Wilson and you in conversation?

A. It was to destroy his Majesty's Ministers.

Q. That was the very word that was used?

A. Yes.

The Earl of Harrowby sworn.

Examined by Mr. Attorney General.

Q. I believe your Lordship resides in Grosvenor Square?

A. Yes.

Q. On the South side near Charles Street?

A. A few doors from Charles Street, next door to the Archbishop of York.

Q. I believe you are a Privy Councillor, and one of his Majesty's Ministers?

A. I am.

Q. Your Lordship is president of the Council, and one of the Cabinet?

A. I am.

Q. Do you remember in the month of February last intending to give a Cabinet dinner?

A. Yes.

Q. On what day was that dinner intended to have been given?

A. I think it was on Wednesday, the 23d of February.

Q. By a Cabinet dinner is meant, the Cabinet Ministers alone meet at dinner?

A. At the Cabinet dinners no persons but those who compose what is called the Cabinet are invited, consisting of the principal officers.

Q. Does your Lordship recollect how many days before the 23d of February, the cards of invitation were issued to the different ministers?

A. My servant may be able to speak to that more correctly than I can. I believe the invitations went out the latter end of the preceding week.

Q. Will your Lordship be good enough to enumerate the names of those noblemen and gentlemen who composed the Cabinet, and who were invited upon that occasion?

A. My Lord Chancellor, the Earl of Liverpool, First Lord of the Treasury, Mr. Vansittart, Chancellor of the Exchequer, the Earl Bathurst, Lord Sidmouth, Lord Castlereagh.

Lord Chief Justice Abbott. What office does Lord Bathurst hold?

A. Secretary of State for the Colonial Department; Lord Castlereagh, Secretary of State for the Foreign Department; Lord Sidmouth, Secretary of State for the Home Department; the Earl of Westmoreland, Lord Privy Seal; Lord Melville, first Lord of the Admiralty; the Duke of Wellington, Master General of the Ordinance; Mr. Canning, First Commissioner of the India Board; Mr. Robinson, President of the Board of Trade; Mr. Bathurst, Chancellor of the Duchy of Lancaster; Mr. Wellesley Pole, Master of the Mint; and the Earl of Mulgrave.

Mr. Attorney General. I would ask your Lordship whether all those noblemen and gentlemen you have enumerated are Privy Councillors?

A. They are.

Q. Are they employed by his Majesty in the administration of the government?

A. They are employed in the different offices I have

enumerated, and also form what is called the Cabinet Council.

Q. Are they called his Majesty's Ministers?

A. In common parlance they are.

Q. Do you remember, my Lord, any day preceding that dinner, your Lordship riding towards the Park?

A. On the Tuesday.

Q. The dinner being intended for the Wednesday?

A. Yes—on the Tuesday preceding that I was riding in the Park, without a servant, I think it might be before two o'clock—I was afterwards going to a council to be held at Carlton Palace.

Q. Relate what occurred?

A. As I came near Grosvenor Gate, a person came up to me, and asked me if I was Lord Harrowby—I said I was—he then told me that he wished much that a letter should be communicated to Lord Castlereagh, which was of considerable importance, both to his Lordship and to myself; that he was himself afraid of appearing——

Mr. Adolphus. I beg your Lordship's pardon, I apprehend this is not evidence.

Mr Attorney General. Did he give your Lordship a letter upon that occasion?

A. He did.

Q. Is that the letter? *(handing it to his Lordship.)*

A. This is the letter he delivered to me, I have no doubt of it.

Q. Did you afterwards give that letter to my Lord Castlereagh, or send it to him?

A. When I came to Carlton Palace, I found Lord Castlereagh was not there, and I forwarded it to him.

Q. The man left you?

A. After some further conversation I asked the man, who had expressed his wish to have some further conversation with me, whether he had put his name and address to that letter—he told me he had not—I then said——

Q. Did he in fact give you a card with his address?

A. He did.

Lord Chief Justice Abbott. Do you produce the card?

A. I had the card—I am not certain that I have it now—yes, this is it, *(producing it.)*

Mr. Attorney General. Your Lordship saw the last witness before he retired?

A. Yes, that was the man, his name was Hiden.

Q. Did your Lordship afterwards see that man again?

A. Yes, I did.

Q. When did you see him again?

A. I saw him again by appointment on Wednesday morning among the young plantations in the ring in Hyde Park.

Q. I must not ask your Lordship what conversation took place between you and him upon that occasion, but I would ask whether the dinner really took place at your Lordship's house on the Wednesday?

A. The dinner did not take place.

Q. That is, the Noblemen and Gentlemen did not come to your house to dinner, but were the preparations postponed, or did they go on the same as if the dinner was to take place?

A. All the preparations went on as if the dinner was to take place, until I wrote a note from the Earl of Liverpool's to my head servant, to say that they would not dine there.

Q. At what hour was that?

A. I think between seven and eight; but my servant can speak to that better than I can.

Q. Then the preparations went on till that time?

A. Yes, I should imagine till nearly eight o'clock—till that note was received.

Q. At about what hour would the party have assembled if the dinner had taken place?

A. Between seven and half-past seven.

Cross examined by Mr. Curwood.

Q. Will your Lordship permit me to ask whether you had any previous knowledge of the matter to that communicated by that witness?

A. A previous general knowledge.

Q. I believe there was a man of the name of Edwards had given information, does your Lordship know a man of the name of Edwards?

A. No, I do not.

Q. Your Lordship had never seen him?

A. No, never.

Q. How long previous to that had your Lordship known of this?

A. I cannot say precisely.

Q. A fortnight or a month?

A. I hardly know to what the question points—if you refer to a general knowledge of some plan being intended, we had had for some time reason to suspect such an intention, the precise period I cannot fix.

Q. I do not ask to precise period, but as nearly as your Lordship can fix it—a fortnight, or three weeks, or a month?

A. I should say longer.

Q. Two months?

A. I cannot say whether two months, but for some time we had had reason to suspect that some intention of a similar nature existed.

John Baker sworn.

Examined by Mr. Attorney General.

Q. I believe you are Butler to Lord Harrowby?

A. I am.

Q. Do you remember a Cabinet dinner being intended to be had at his house in the month of February last?

A. Yes.

Q. On the 23d I believe?

A. It was.

Q. Do you know whether in consequence of the late King's death those dinners had been suspended for some time?

A. Yes, they had.

Q. Do you recollect how long before the 23d of February cards had been issued for the ministers ?

A. Either the 18th or the 19th, I am not quite certain which—I think Saturday the 19th.

Q. On the Wednesday when the dinner was to be had, were the preparations made for the dinner as usual?

A. Yes.

Q. At what time did you first receive intimation that his Majesty's ministers would not dine there that day ?

A. About eight, or it might be ten minutes after eight.

Q. Who lives next to Lord Harrowby's? does the Archbishop of York?

A. The Archbishop of York on one side.

Q. Do you know whether his Grace had a dinner that day—did you observe carriages there?

A. I observed carriages there.

Q. About what hour?

A. About six or seven o'clock.

John Monument sworn.

Examined by Mr. Solicitor General.

Q. What are you by trade?

A. A shoemaker.

Q. Where have you lately lived?

A. In Garden Court, Baldwin's Gardens.

Q. Is that near Brook's Market?

A. It is.

Q. You are now, I believe, a prisoner in the Tower ?

A. Yes.

Q. Do you know the prisoner at the bar, Thistlewood?

A. Yes.

Q. Do you remember meeting him at a person's of the name of Ford?

A. Yes.

Q. How long is that ago?

A. It was a few days before the meeting in Finsbury Market.

Q. Tell me, as nearly as you can tell, how far back?

A. From this time?

Q. How long back before the 23d of February?

Mr. Adolphus: I have no objection to your giving the date of the Finsbury meeting.

Mr. Solicitor General. I do not know it.

A. It might be about two months before the 23d of February.

Q. Did you see him again after that?

A. Yes, he called in about a fortnight or three weeks after that meeting.

Q. Did he call alone, or was any person along with him?

A. The prisoner Brunt was along with him.

Q. Tell us what Thistlewood said to you, when he called at you lodgings?

A. He said directly he came in, he had not been there above a minute or two, that he wished to speak to me privately, and I went outside the door with him—I am not certain that he used the word privately, but he wished to speak to me.

Q. Was any other person in the room?

A. My brother and my mother.

Q. Did you in consequence of that intimation from Thistlewood, go out of the room with him?

A. Yes.

Q. Did Brunt go with you or stay behind?

A. He staid behind.

Q. Tell us what Thistlewood told you when you were out of the room?

A. Yes, as nearly as I can recollect. I think the first words he made use of were, "Great events are at hand, the people are every where anxious for a change." He said, he had been promised support by a great many men who had deceived him, but now he had got men who would stand by him—he then asked me whether I had any arms—I said no, I had not—he said every one ought to be armed now—he said all of them had got every one something—some had got a sabre, some had got a pike, and some a pistol.

Q. Who were all of them?

A. I understood those men that belonged to him.

Q. Those men to whom he had before alluded as standing by him?

A. Yes—he said I might buy a pistol for four or five shillings—I told him I had no money to buy pistols—I was too poor to do any thing of the kind—he then said he would see what could be done.

Q. Was that all that passed with him at that interview?

A. Yes, all that I recollect.

Q. Did Brunt call upon you again after that?

A. Yes.

Q. How soon afterwards?

A. I suppose two or three days.

Q. Did any thing material pass in conversation between you and Brunt at the time he so called, the second time?

A. I do not recollect that there was—he said he was rather in a hurry—he had got several more people in our trade to call upon, and he had got two or three men waiting for him down stairs.

Q. Do you remember Brunt calling upon you on Tuesday, the 22d of February?

A. Yes, I do.

Q. Was that the first time he had called after the last interview with him, to which you have just spoken?

A. Yes, I am pretty sure it was.

Q. You do not recollect any previous call?

A. No, it was a long while between the two.

Q. Was he alone, or accompanied by any person?

A. He was accompanied by the prisoner Tidd.

Q. What conversation passed between you and Brunt at that meeting? was any thing said why he had not called?

A. Yes, that was the first thing—I said I thought I had lost him, and asked him the reason that he staid away so long; and he said, the reason was, that the King's death had made an alteration in their plans necessary: then I asked him what plans they were—he said that I should

know at the meeting that was to be the night after, better than he could tell me.

Q. This was on the Tuesday?

A. Yes.

Q. Did he say any thing as to where that meeting was to be?

A. Yes—I asked him where, he said Tyburn turnpike.

Q. Did he tell you any thing about what was to be said or done at Tyburn turnpike?

A. No—I asked him how I was to know, by seeing the people about, who they were; and he turned round to Tidd, and asked him whether he should tell me the word.

Q. What answer did Tidd make?

A. Yes—he said, he supposed there was no danger.

Q. Upon that what did Brunt say?

A. He said if I saw any people about, I was to go to them and say *b, u, t,* and if they were friends they would answer *t, o, n.*

Q. Did you agree to go?

A. He did not ask me positively whether I would go.

Q. Was any thing more said at that meeting?

A. No—he said he should call on the following morning, and tell me more particulars.

Q. Did they then leave you?

A. Yes.

Q. The next day did Brunt call again?

A. Yes.

Q. That was the Wednesday?

A. Yes.

Q. At what time?

A. Between four and five o'clock in the afternoon.

Q. Was he alone?

A. Yes.

Q. Tell us what he said to you when he called on you alone?

A. He called me down stairs, and asked me whether I was ready to go with him; I said no, I had got some work to finish, that must be done before I could go.

Q. When he called you down stairs, was any body in the room, out of which he called you?

A. Yes, my brother.

Q. When you said you were not ready, what did he say?

A. He said I ought to go with him—I told him that I could not go till the work was done; he asked me how long that would be—I told him not before six o'clock.

Q. Upon your telling him that what did he desire you to do?

A. He told me he could not wait for me, but I must go to the person whom he brought with him the day before, whose name he said was Tidd, he told me where he lived in the Hole-in-the-Wall Passage, Brook's Market.

Q. Did he at that time tell you any thing more as to the plan?

A. No, nothing.

Q. Did he go away upon having told you this?

A. Yes—after telling me not to be a minute after six o'clock when I went to Tidd's, for that Tidd had got some more men that he was to take with him to the meeting.

Q. In consequence of this did you go to Tidd's house in the course of that afternoon?

A. In the course of the evening, about half-past six o'clock.

Q. Did you find Tidd at home?

A. Yes.

Q. What did he say to you?

A. He said, that several men that had promised to come had not been so good as their word, and that he should not wait longer than seven o'clock.

Q. Did you wait till seven o'clock?

A. Yes.

Q. Did any other persons arrive?

A. No.

Q. When seven o'clock came, what did Tidd do?

A. He went to a corner of the room where there was a trunk, and took out a large pistol.

Q. What did he do with it?

A. Put it into a belt that he had got round his body, he then took about six or eight pikes, about a foot long.

Q. Iron pikes, or pike shafts?

A. Iron pikes.

Q. Six or seven did you say?

A. I suppose there might be about as many as that.

Q. What did he do with them?

A. They were wrapped in brown paper; and he took a staff about four feet long, with a hole at one end of it.

Q. Was that hole calculated to receive the ends of the pikes?

A. Yes.

Q. Did he take the pike heads with him?

A. Yes, he did.

Q. You mentioned that a pistol was in a belt round his waist?

A. Yes.

Q. Was that underneath his coat, or over it?

A. Underneath his great coat.

Q. So that on his coat being buttoned you could not perceive it?

A. No.

Q. You went down stairs with him?

A. Yes.

Q. Which way did you go?

A. Through Brook Street into Holborn.

Q. And from Holborn where?

A. Straight on to the top of Holborn up Oxford Street.

Q. Did you at that time know, or had you previous information as to the place you were going to?

A. No; I believe it was while I was in the room, I asked him where we were going to, and he said to a mews in John Street, Edgware Road.

Q. In going along, did he tell you what you were to do, or had he told you before?

A. No. When we got into Holborn he gave me the pike staff; says he, "You take this."

Q. Tell us what else he said as to what was to be done?

A. I asked him, as we were going along, where it was we were going to? He said I should know more about it when we got there; I still pressed him, I asked him whether we were going to the House of Commons.

Q. What did he say?

A. He said no, there were too many soldiers about there I then asked him where it was we were going to, and at last he said, "Grosvenor Square." I then asked him whether any body particular lived at Grosvenor Square, by their going there particularly; and he said there was a cabinet dinner there that evening.

Q. Did he say at whose house it was to be?

A. No, he did not.

Q. Did you ask him, or did he tell you, what was to be done there?

A. No, I did not ask him any more. Upon his saying that, I was fully convinced what was intended.

Q. From Oxford Street, where did you go to?

A. We went to the top of Oxford Street, and turned to the right down Edgware Road.

Q. Do you know Cato Street?

A. I did not know it before, I know it now.

Q. Did you go there?

A. Yes.

Q. When you got to Cato Street, where did you go?

A. When we got there, underneath the archway that leads to it, I saw two men whom Tidd seemed to know. He was a step or two before me, and spoke to them; we went after, stopping a few moments with them in the street, into a stable.

Q. Did you go up the steps in the stable?

A. Yes.

Q. About how many persons did you find in the stable and in the loft altogether?

A. I should suppose about four or five and twenty; but I had not been there above two or three minutes when some person asked how many there were, and proposed to count them; but Mr. Thistlewood said there was no occasion to count, for there were five and twenty.

Q. When you got into the loft, and while you were there, was any thing said as to the plan they were going about?

A. There was a man that was sitting on one side of the bench—a carpenter's bench, a tallish thinish man with a brown great coat, with two belts on, and I think a sword by his side, and he was speaking of the impropriety of going with so small a number as five and twenty men to Lord Harrowby's.

Q. Upon his making that observation what was said or done by the other parties?

A. Mr. Thistlewood said the number was quite enough, for he only wanted fourteen men to go into the room; and supposing Lord Harrowby had sixteen men servants, still that number was quite sufficient. The man in a brown great coat said, "After the business is done, and we come out, most likely there will be a crowd round the door, how are we to make our escape." Upon which Mr. Thistlewood said, "You know the largest body is already gone from here, this is the smallest part."

Q. "The largest body is gone from here?"

A. I do not know whether he said "from here," but "the largest body is gone." Upon which, the prisoner Davidson spoke to this man, and said it was not right in him to throw cold water upon their proceedings; if he was afraid of his life, he might go, and they would do without him.

Q. Did any thing further pass in the way of conversation?

A. Yes, the prisoner Brunt immediately said that sooner than they should give up the business they were going upon, he would go into the house by himself and blow them all up, if he perished along with them,—and he said "for you know we have got that which can do it." I am not certain that those were the exact words, but that was the meaning of it. Upon which the man said, that though he did not think it altogether right to go himself, still as they were all for it, he would not be against it.

Lord Chief Justice Abbott. That was the man in the brown great coat?

A. Yes: upon which he proposed that all the persons—

Mr. Attorney General. Who proposed?

A. The man in the brown great coat;—that all the persons in the room should put themselves under the orders of Mr. Thistlewood; upon which Mr. Thistlewood said that every one engaged in that business would have the same honor as himself, and he proposed that the fourteen men to go into the room should volunteer from among the persons then in the room.

Q. Upon his proposing that fourteen persons should volunteer to go into the room,—what did he say then?

A. He said that those fourteen that volunteered should range themselves on the other side of the room, towards that part where the firing afterwards came from when the officers came.

Q. There was a small room on that side?

A. Yes, there was.

Q. Did they do so?

A. Yes.—I do not know whether the whole fourteen, but I believe twelve or thirteen out of that number did so in the course of a few minutes.

Q. Was any thing said as to what the rest were to do?

A. No.—I heard nothing but the prisoner Tidd was coming out; he was one of the fourteen; he was coming out to me to say, "you may chuse your situation," when Mr. Thistlewood put him back, and said,—"you all know your places."

Q. What took place upon that?

A. I do not remember whether any thing particular did; but afterwards Mr. Thistlewood was gone for a few moments, and he came up stairs and said they had received intelligence that the Duke of Wellington and Lord Sidmouth were arrived at Lord Harrowby's. I do not recollect any thing else passing till the officers came up.

Q. You were taken into custody in the room, I believe?

A. Yes, I was.

Cross-examined by Mr. Adolphus.

Q. You say you had known Thistlewood:—how long had you known him?

A. I never spoke to him before, till the time I saw him at Mr. Ford's at Lambeth.

Q. That was when?—how long before the meeting?—do you recollect when about the meeting in Finsbury market-place was?

A. No, I do not.

Q. Was that before or since Christmas?

A. I think it was before Christmas.

Q. Did you attend there?

A. Yes, I did, because Mr Thistlewood asked me whether I should be there, when I was at Mr. Ford's.

Q. Was Mr. Thistlewood at the Finsbury market meeting?

A. I was too far off to see the persons that were.—I cannot say whether he was or not.

Q. What was the meeting there about?—was it about the transactions at Manchester, or not?

A. I think it was.—I was there about an hour and a half.—I was not near enough to hear what passed.

Q. Was the business of the meeting to consider something about the transactions at Manchester?

A. I really cannot say.

Q. You went to the Finsbury-market meeting, but did not take notice of what passed?

A. No, I did not take much notice. The day was very dirty, and I did not stop long.

Q. There was no very particular acquaintance at that time between Thistlewood and you?

A. No.

Q. How long had you known Brunt?

A. I never knew him till Mr. Thistlewood brought him to my house.

Q. Did you know a gentleman of the name of Edwards at all?

A. No.

Q. There was a long while that passed between your seeing Brunt at one time, and his calling again on the 22d of February?

A. Yes, a good while.

Q. And all your former conversations had passed for nothing:—in that time you thought no more of them?

A. I thought, not seeing me eager to follow their plans, they had left me.

Q. So you said when they called again, "I thought I had lost you?"

A. Yes.

Q. On the 22d, however, you were to be trusted with the letters *b, u, t,* and some person was to give you *t, o, n*?

A. Yes.

Q. And that was all that was confidentially reposed in you?

A. Yes.

Q. You had no occasion to use those letters, I think?

A. No; because I went with Tidd.

Q. When you went to the room in Cato Street there were twenty-five there?

A. Yes.

Q. You must have been dreadfully crowded in that room?

A. There were three or four in the room below.

Q. Even then you must have been dreadfully crowded?

A. No, they were almost all standing.

Q. How high was the room—you are a short man?

A. Yes.

Q. Do you think the ceiling was as high above your head, as that board over you?

A. Yes.

Q. There was a carpenter's bench in the room, was not there?

A. Yes.

Q. That took up a good deal of space?

A. Yes.

Q. A man could not stand upon that?

A. No.

Q. Was not the room entirely filled with you twenty, if there were twenty?

A. Not entirely filled.

Q. Do you know the man in the brown coat, who he was?

A. No, I do not.

Q. Have you since learnt that his name was Adams?

A. No, I know it was not him.

Q. Some man in a brown coat, whom you do not know?

A. No.

Q. What part was Adams playing there?

A. I do not remember him.

Q. You do not remember his being there at all?

A. No.

Q. You knew Adams?

A. No.

Q. Did the man in the brown coat squint, or had he any thing particular about his eyes?

A. No; but I have seen the prisoner Adams at Hicks's Hall, and again here, and I know that it is not him.

Q. Do not you recollect Adams being there, and saying or doing any thing, for he is a very remarkable person?

A. No.

Q. Did you go about the room, and see who were there?

A. No; I stood by the side of the bench.

Q. Were there any men particularly tall?

A. I do not know.

Q. Were there any men at all of Adam's size and height?

A. I cannot tell that.

Q. Were you sitting or standing?

A. Standing generally; the man in the brown great coat was sitting on a little bench on the other side.

Q. They were a good many of them, eating bread and cheese, were not they?

A. Yes; some of them were.

Q. There was some bread and cheese produced, and they flew at it like famished men?

A. I did not see that.

Q. They were eating bread and cheese, however?

A. Yes.

Q. And they had some porter too?

A. Yes.

Q. Cannot you recollect Adams being there?

A. No, I cannot.

Q. Are you sure he was not there?

A. I am sure I cannot take upon myself to say that.

Q. Have you any consciousness whatever of ever having seen him, until you saw him at Hicks's Hall?

A. No; but the same observation may be made of many others.

Q. Your observation is ingenious and just; you may have seen many persons and not have recognized them again?

A. Just so.

Q. He is a man of remarkable appearance, with his eye and all?

A. Yes he is.

Q. Do you know any of the other prisoners?

A. I know the prisoner Davidson.

Q. He is a man of colour?

A. Yes.

Q. Do you know any other?

A. Thistlewood, Tidd, Brunt.

Q. Those you know out of doors?

A. Yes.

Q. And Davidson, whom you know by his colour?

A. Yes.

Q. The others made no impression upon you?

A. No; but I recollect seeing the prisoner, Strange, in the room.

Q. Why do recollect him particularly?

A. Only that he was a short man, the same as myself, and standing by the side of me.

Q. Have you told us all that passed there, according to your hearing and observation of it?

A. Yes, I have.

Q. You can tell me nothing about Adams?

A. No.

Q. Did you hear any person make any observation except the man in the brown coat?

A. No.

Q. If any observation had been addressed like that by the man in the brown coat, should you have heard it?

A. I suppose I might.

Q. You must?

A. Yes; perhaps, I might.

Q. How large is the room?

A. I cannot say.

Q. It was a very small room; the twenty nearly filled it?

A. Not very small, I should say, there would not have been room for twenty more.

Q. Would there have been room for ten more?

A. I think there might.

Q. Was it as long as that box those Gentlemen are sitting in?

A. Longer than that.

Q. As long as that and the next?

A. I cannot say.

Q. If any person had spoken with an audible voice addressing the whole, do you think you should have heard it?

A. I think I should.

Q. You had totally lost sight of those people from the day of the Finsbury Meeting, to the 22d of February?

A. Yes; I had, excepting when Mr. Brunt called upon me.

Q. Was the conversation you have spoken of between the brown coated man and Mr. Thistlewood, and the others, so loud, that every person might have heard it?

A. I cannot say; but I was standing as near to that person with the brown coat as I am to you.

Q. Was it so loud that every person within that distance must have heard it?

A. Yes; I suppose it was.

Q. You come here in very honourable custody, I see, with greater attendants than you ever expected to have?

A. Yes.

Q. Were you taken upon the spot, or how?

A. Yes, I was taken in the room.

Q. You surrendered, I suppose, when the officers came up?

A. When the soldiers came up.

Q. You made no resistance?

A. No.

Q. Had you any arms?

A. No; I had nothing about me; I was searched directly.

Re-examined by Mr. Solicitor General.

Q. Were you one of the last that came into the room?

A. I cannot say how many came in after me.

Q. Was the room nearly full when you came?

A. Yes.

Q. How long had you been there before the officers came?

A. About a quarter of an hour before the officers came.

Q. Did you know any of the persons in the room before you came there except Tidd, Brunt, and Thistlewood?

A. No; except the prisoner, Davidson, whom I had seen at one or two of the meetings.

Q The persons of all the rest in the room you were unacquainted with?

A. Yes.

Q. Was it candle light?

A. Yes; there was a candle in the room.

A Juryman. Only one?

A. I am not certain about that; I know there was one; I cannot speak to others.

Mr. Solicitor-General. What was there upon the carpenter's bench?

A. There was a great quantity of swords and pistols, and two or three blunderbusses.

Q. You spoke about Strange—that Strange stood by you—was Strange apprehended with you at the same time?

A. Yes.

Q. You were both of you taken into custody together?

A. Yes.

Q. How many were there in the room when the soldiers came in and took you into custody?

A. Four.

Q. The soldiers took you all into custody?

A. Yes.

Q. A Gentleman has asked you about Edwards; do you remember when you were brought up at Whitehall, being handcuffed with Mr. Thistlewood?

A. I was.

Q. Did Mr. Thistlewood say any thing to you about Edwards?

A. Yes; he said, when I was examined before the privy council, if I was asked who brought me to the meeting, I should state Mr. Edwards.

Q. What did you reply to that?

A. I asked him how I could tell them such a falsehood, when he knew I had never seen the man.

Q. What did he say in answer?

A. He laughed, and said that was of no consequence, for if I was asked what sort of a person he was, I was to say he was a man not much taller than I was; of a sallow complexion, and dressed in a brown great coat.

A Juryman (Mr. Goodchild.) My Lord, I should be glad to ask that witness one question: whether, since his apprehension, he has had any conversation whatever with a man of the name of Adams?

A. No, I have not, except speaking a word or two to him, but none concerning this business.

Mr. Solicitor General. Have you been kept separately confined?

A. Yes.

Q. Did you ever see him, except when you were taken up as a witness to Hicks's Hall, and when you were brought here to-day?

A. Never.

Thomas Monument sworn.

Examined by Mr. Solicitor General.

Q. I believe you are brother to the last witness John Monument?

A. Yes, I am.

Q. Do you remember your brother meeting Mr. Thistlewood at the house of a person of the name of Ford?

A. Yes, I heard him speak of it.

Q. You were not there yourself, but heard him speak of it?

A. I was not there.

Q. Do you remember Thistlewood, after you had had that conversation with your brother, calling upon your brother?

A. Yes, he did.

Q. Do you know Brunt?

A. Yes, Thistlewood brought Brunt with him.

Q. After they had come into the room, did they stay there for any considerable time?

A. No, I suppose not above five, or it might be ten minutes; I cannot say exactly to the time.

Q. What did they do?

A. They did nothing; there was some conversation passed.

Q. Did they go out of the room?

A. Yes, Thistlewood asked my brother if he might be permitted to speak with him?

Q. Upon Thistlewood's saying that to your brother, did they go out of the room together?

A. Yes, they did.

Q. How long did they remain out?

A. They remained out, I suppose, about two or three minutes.

Q. Did they then return into the room?

A. Yes.

Q. Did Thistlewood and Brunt go away together?

A. Yes, they did.

Q. Do you remember, on the Tuesday before the Cato Street business, Brunt calling upon your brother?

A. Yes.

Q. Did he call alone?

A. No, he brought a man of the name of Tidd with him.

Lord Chief Justice Abbott. Did he mention his name at the time, or did you know him before?

A. No.

Mr. Solicitor General. Was his name mentioned at the time?

A. Brunt mentioned his name.

Q. Tell us what passed?

A. As nearly as I can recollect, when they came into the room my brother said to Brunt, "I thought I had lost you:" because we had not seen him for some time.

Q. What did Brunt say upon that?

A. He said that the King's death had made some little alteration in their plans. My brother asked what those plans were? Brunt said they had different objects in view.

Lord Chief Justice Abbott. You heard this, did you?

A. Yes, I did.

Mr. Solicitor General. What further was said?

A. Brunt asked my brother to meet him up at Tyburn turnpike on the next evening, and he agreed to meet him; and Brunt said to Tidd "suppose we give them an outline of the plan." But I do not think Tidd made any answer to it. Brunt then told us we were to meet up at Tyburn turnpike at six o'clock on the Wednesday evening. They gave us the pass word, which consisted of the letters *b, u, t,* He said if any one of their party was there, they would answer *t, o, n.* They then went away after that.

Q. Did you promise to go?

A. Not exactly; they did not indeed press me; they spoke to my brother chiefly through all the business.

Q. Did you in fact go yourself?

A. No, I did not.

Q. What time did your brother go out the next afternoon the Wednesday ?

A. It was near seven o'clock when he left home—Brunt called about five or nearly five for him to go with him, but we were busy finishing some work, and he could not go with him at that time, and he then told him to call upon Tidd, who lived in Hole-in-the-Wall Passage.

Q. About seven o'clock you say your brother went ?

A. Yes, within a very trifle of seven.

Q. You did not see time afterwards ?

A. I never saw him afterwards.

Cross-examined by Mr. Curwood.

Q. All this conversation was directed to your brother John ?

A. Yes I was in the room when it passed—when he came first he spoke to my brother.

Q. Had you been long acquainted with Brunt before ?

A. No ; I never saw him till Thistlewood brought him that evening.

Q. Which of the parties had you known before ?

A. None.

Q. Did you make any further queries of what was to be done ?

A. No, I did not.

Q. You did not suspect any thing wrong ?

A. No, I did not.

Q. What did you think they were going about ?

A. That I cannot tell.

Q. What did you suspect ?

A. I could not tell ; I supposed it was a meeting for some purpose, but for what purpose I could not tell.

Q. You had not the curiosity to enquire ?

A. No.

Q. A club dinner perhaps ?

A. No, I did not think that.

Q. A supper ?

A. I did not know.

Q. And you were determined not to ask?

A. I did not ask further than he mentioned.

Thomas Dwyer sworn.

Examined by Mr. Gurney.

Q. Where do you live?

A. Number 15, Gee's Court, Oxford Street.

Q. Some time before the 23rd of February had you become acquainted with Davidson, the man of colour?

A. Yes.

Q. Had you met him at different times?

A. I had seen him twice before the 23rd.

Q. Upon either of those occasions did he introduce you to any body?

A. Yes.

Q. To whom?

A. To Mr. Thistlewood.

Q. Did Thistlewood and he and you go together to any house?

A. Yes.

Q. What house?

A. A public house at the end of Molineaux Street.

Q. That is very near Cato Street, is it not?

A. This end of Cato Street.

Q. How long was that before the 23rd to the best of your recollection?

A. It was about the 9th, 10th, or 11th, either Wednesday, Thursday or Friday.

Q. Did Thistlewood have any conversation with you?

A. No, very trifling.

Q. Tell us what it was he said?

A. He said nothing to me at that present time at all; he said he was in five or six different revolutions—that was all.

Q. What else did he say?

A. Nothing more at that present time.

Q. Any thing about Ireland?

A. He said Ireland was in a disturbed state at that time.

Q. Are you an Irishman?

A. Yes.

Q. Did he say any thing about your countrymen who were in London?

A. He said he had a good many of my countrymen.

Q. Did you see Davidson the day before the people were taken up in Cato Street?

A. In the afternoon of the 22d.

Q. Did he make any appointment with you for the next morning?

A. No, not then, not for the 23d.

Q. The next morning, however, did you go any where?

A. No, I stopped at my own place.

Q. After stopping, did any person call upon you?

A. Yes.

Q. To what place did you go with that person?

A. Fox Court, Gray's-Inn Lane.

Q. At what time of the day?

A. About a quarter or half past nine, when I left my own place in the morning.

Q. Who called upon you?

A. A man of the name of Harrison.

Q. Did Davidson tell you the night before any thing he was going to do?

A. He told me he was going on sentry next morning.

Q. A person called upon you and took you to Fox Court?

A. Yes.

Q. Had that person any thing with him?

A. A bundle wrapped up in some paper.

Q. Who was the person that took you to Fox Court?

A. A tall man of the name of Harrison.

Q. When you got to Fox Court, to what part of the house did you go?

A. A two-pair back room.

Q. How did you get into the room?

A. I turned round a short passage into a door.

Q. Was the room door locked or open?

A. I think it was locked.

Q. How did you get the key?

A. I think he knocked at the door of the two-pair front, and a woman gave him the key.

Q. When you got into the room, did you find any thing there?

A. Nothing but an old chair.

Q Was there any cupboard in the room?

A. Yes.

Q. Did you see any thing in that cupboard, or any thing taken out?

A. No, I sat on the chair.

Q Was there any thing afterwards taken out?

A. Yes.

Q. What was it?

A. A ball wrapped up with rope yarn.

Q. Did Harrison tell you what it was?

A. A grenade.

Q. Did he tell you what use was to be made of it?

A. No, he did not then.

Q. Did he afterwards while you were there?

A. No.

Q. Did any other persons come in?

A. Yes.

Q. Who came in?

A. Thistlewood, Davidson, and a few more.

Q. What had Davidson with him?

A. He had a blunderbuss and a pair of pistols, and a bayonet in his side pocket.

Q. Did any other persons come in?

A. Yes, there were one or two afterwards came in.

Q. Do you remember the names of any more?

A. No, I do not know that I can name any others.

Q. Will you look at the bar, and see whether you can name any other persons that were there?

A. Yes.

Q. Which did you see there?

A. This gentleman next me. (*Brunt.*)

Q. After Davidson had shewn those pistols, what did you hear him say?

A. I do not know that he said any thing particular at that time:—he said he had given twelve shillings for a pair of pistols.

Q. Brunt said this?

A. No, not Brunt, but Davidson.

Q. After Davidson had spoken of his pistols, and shewn them, and said he had given twelve shillings,—did you hear Brunt say any thing?

A. He said he would go out and buy a pair.

Q. Did any thing pass from any of them about the use to be made of that hand grenade?

A. Yes.

Q. Who was it, do you remember?

A. Mr. Thistlewood.

Q. What did Thistlewood say?

A. He spoke to them all at large, and said some of them were to be thrown into the horse barracks.

Q. Some of those hand grenades.?

A. Yes, and some were to be thrown into Lord Harrowby's, to set fire to it to blow it up.

Q. Did Thistlewood ask you any question?

A. Yes.

Q. What did he ask you?

A. He *axed* me how many of my countrymen I could muster.

Q. Did he say when he should want them?

A. Half past eight the evening of the 23d.

Q. Did you tell him how many you could muster?

A. Yes.

Q. How many did you tell him?

A. About six or seven and twenty, or five and six and twenty.

Q. Did he tell you where to go to?

A. Yes.

Q. Where?

A. He told me they were to assemble at the Horse and Groom, but I was to be at six o'clock at the Pomfret Castle, at the end of Barrat's Court.

Q. Where is that?

A. It leads into Wigmore Street, Cavendish Square.

Q. Is that a house frequented by Irishmen?

A. Yes, it is on Saturday nights:—they go in to have a pint of porter or any thing of that kind.

Q. Did he tell you to what place you were to go to do any thing?

A. Yes.

Q. Where to?

A. He told me I was to take a few, the best of them, to go to the Foundling Hospital, knock at the porter's lodge, put a pistol to his breast, turn down round the right hand, and there were five or six and twenty stand of arms at the next lodge.

Q. What was to be done with them?

A. I was to seize them.

Q. Did he tell you what was to be done at any other place?

A. At the same time another party would seize two pieces of cannon that were at the City Volunteer's Riding School in Gray's Inn Lane.

Q. Did he say what was to be done at any other places?

A. He said there were more that would make a breach in Finsbury.

Q. What more did he say?

A. Nothing particular more.

Q. Did he mention any dinner that day—whether there was to be any dinner?

A. Yes, at Lord Harrowby's.

Q. A dinner of whom?

A. A cabinet dinner, or a cabinet council.

Q. Did he say whether any thing was to be done there?

A. Yes, he said they were to attack at Lord Harrowby's.

Q. After this, did you see any bundle taken out of the cupboard?

A. Yes.

Q. What was done with it?

A. It was planted on the floor, and a pint pot produced—that bundle contained powder.

Q. Gunpowder?

A. Yes.

Q. What was done with it?

A. There was a tin measure produced, and it was measured into some woollen bags.

Q. How many bags do you think were filled?

A. I cannot say.

Q. Were there few or several?

A. There were several of them.

Q. Who did that?

A. Harrison.

Q. After that did you hear Thistlewood talk to the short man in front? (*Brunt.*)

A. No, he spoke generally to them all.

Q. Did you hear any thing about any things being to be sent to any different places?

A. Yes.

Q. What did he say?

A. He said there were a dozen pike handles to be taken to Mary-le-bone.

Q. Any to any other place?

A. The remainder were to go, some to Finsbury, and some elsewhere.

Q. Were you asked to take any, any where?

A. Yes.

Q. Did you agree to do it or refuse?

A. I refused.

Q. Was any person who was there sent out with any of the things?

A. They were not in the room,—I had not seen them,—only what they said concerning them.

Q. Did you see any bag?

A. Yes.

Q. Did you see any thing put in it?

A. Yes, this powder that was measured and the grenades.

Q. Did you hear any direction given to any person to take those things to any place?

A. The pike handles?

Q. Did you see any pike handles?

A. No, I did not see them.

Q. Were any directions given to any person to carry any thing to any place?

A. Yes.

Q. To what place was that person told to go?

A. To the Horse and Groom at the end of Cato Street.

Q. Who gave him directions?

A. Harrison.

Q. Did Harrison go away too?

A. He went with the bag with those things.

Q. Having before sent another person with some things?

A. He went out with an intention to get those handles, but where he went I do not know.

Q. What did Harrison take with him?

A. This powder in the flannel.

Q. Did he take the grenades away as well as the powder?

A. Yes, I think he did.

Q. What were they put into?

A. Into a sack.

Q. At about what time did you leave the room, to the best of your recollection?

A. I got home to my own place at twelve o'clock exactly.

Q. Did you on that day go and give information of what you had seen and heard?

A. I told a gentleman.

Q. Who was that gentleman?

A. Major James.

Q. In consequence of what he said to you, did you go to the Secretary of State's?

A. Yes, I did.

Q. At about what time were you at the Secretary of State's that day?

A. About one, or half past.

Cross-examined by Mr. Curwood.

Q. What has been your situation in life?

A. A bricklayer by trade.

Q. How long have you been acquainted with Davidson?

A. Since the 4th of February—that was the first time I ever saw him.

Q. You say it was he who introduced you to Thistlewood?

A. Yes.

Q. What day did he introduce you to Thistlewood?

A. About the 9th, I think in the following week the 9th or 10th.

Q. Had you known any of the party before?

A. Never in my life.

Q. They never having known you before, nor you them, they immediately opened these plans to you?

A. No; they did not speak any thing respecting them—I never knew any thing of them till that present morning the 23rd.

Q. On that morning, the 23rd, they let you into their secrets?

A. Yes.

Q. None of them having known you before?

A. No, except Davidson—I saw him on the 4th of February.

Q. And that was an accidental meeting?

A. It was indeed.

Q. Can you possibly imagine what it was in your character that should have induced them to trust you so suddenly?

A. I cannot say, indeed—I do not know what their meaning was for it. I was well known in that neighbourhood, being in the habit of being amongst a deal of my countrymen.

Q. And you were always known as a very honest, loyal man?

A. I should think so; I have been fifteen years in that parish.

Q. With a good character?

A. Yes, I believe so.

Q. And yet, all on a sudden, a band of traitors trusted you with their traitorous designs?

A. Yes, they did, so far as I have stated.

Q. That did not very much astonish you?

A. In fact I did not know the rights of it; I had partly an idea of it.

Q. You were asked how many men you could muster?

A. Yes.

Q. Give us an idea what you were to do with them?

A. It would be very serious for me to inveigle the minds of a parcel of innocent men in such a concern; and it would be more than perhaps I could do.

Q. But, however, you agreed to do it?

A. I agreed on that morning.

Q. What were you to do?

A. I agreed to have five or six and twenty men there—they asked me how many I could muster: I was rather frightened, and I said so many.

Q. You were frightened?

A. Yes, I was rather frightened while I was in the room.

Q. You were to be at the Foundling Hospital?

A. Yes.

Q. And there you were to get some arms?

A. Yes.

Q. What did you expect to do with them?

A. I do not know indeed.

Q. You would rob any body you were set to rob?

A. I should suppose so, if I was to take such advice.

Q. You did agree to do it?

A. Yes, at that present time, but I had no intention; only speaking the word, I wanted to get out of the place. I had no intention of being an accomplice at all in their designs, only I wanted to get out of the place.

Q. Do you happen to know a man of the name of Huckleston?

A. No.

Q. Were you ever examined in a court before?

A. I was here once on the trial of a woman that robbed a man of £7.

Q. Was that the only occasion?

A. Yes.

Q. You are quite sure you do not know a man of the name of Huckleston?

A. No, not to my knowledge. I am sure I do not of that name.

Q. Where were you at the time of the rebellion in Ireland?—in England or Ireland?

A. In Ireland. I was quite a boy at the time.

Q. What sized boy?

A. Quite a youth.

Q. How old were you?

A. I cannot say indeed. I can just remember it.

George Caylock, sworn.

Examined by Mr. Littledale.

Q. Where do you live?

A. At No. 2, Cato Street.

Q. Do you remember on the afternoon of the 23d of February last seeing any body in Cato Street that attracted your attention?

A. Yes.

Q. Whom did you see?

A. Mr. Harrison.

Q. Look round, and see whether you see him?

A. Yes, that is the man. *(pointing him out.)*

Q. Had you known him before?

A. Yes, I had.

Q. Where did you see him?

A. I saw him standing near the stable door in Cato Street with a candlestick in his hand, with a wooden bottom and an iron stick.

Q. Did you speak to him?

A. Yes I did.

Q. What did you say to him?

A. Only asked him how he did, as I knew the man before. He said he was very well—He said he had taken two chambers there, and was going to do them up, to clean them up.

Q. What time in the afternoon was this?

A. About five o'clock.

Q. In the course of that evening did you see any other people going in and out of the stable?

A. Yes, a great many.

Q. How many altogether?

A. I suppose from twenty to five and twenty that I saw go in and out.

Q. Between what times in the evening?

A. Between five and seven.

Richard Munday sworn.

Examined by Mr. Littledale.

Q. Where do you live?

A. No. 3, Cato Street.

Q. Do you recollect on the afternoon of the 23d of February last seeing any people in Cato Street?

A. Yes.

Q. At what time was it?

A. About half-past four in the afternoon I came from work, or about twenty minutes past four, hardly the half hour, I saw Davidson walking under the archway; I knew him by seeing him along with Mr. Firth. I had seen him along with Mr. Firth two or three times before, being in the habit of going to Mr. Firth to doctor his cows.

Q. Did you see any thing further?

A. I saw Harrison about six o'clock open the cow-house door, and he shut it again; but in coming from my work I passed Davidson in the archway, and went and got my tea, and came back again, that might be I suppose near the half hour after five, it was not quite the half hour, but about twenty-five minutes, I went out to the chandler's shop to get some coffee, and what I wanted; and in

coming back I went in and got my pint of beer at the public-house, and I saw Davidson go out and get a light from a woman at the public-house, and he had another candle in his hand, and opened the door and go in; in the way of his going in there was a kind of a bundle there, I supposed it to be a quartern loaf, but I cannot say whether it was or not; he had as he stooped two belts with two pistols in them, and a sword, which stuck out in this way *(behind,)* under his great coat; I went in and mentioned it to my wife immediately, "In the name of God"——

Q. Do not tell us what you said to your wife. Besides these two persons Davidson and Harrison, did you see any other persons?

A. There were several people, two and three going out and in at different times; but there was a number in the place, I dare say I saw seven or eight when the door was half opened in the place at a time.

Q. What sort of a place was it?

A. It is a stable belonging to the General, and Firth was his servant.

Q. General whom?

A. General Watson; one part of it is a chaise-house, and the other part a stable, where the horses used to stand; but Mr. Firth turned it into a cow-house, and kept five cows there.

Q. Is there any loft?

A. Yes, a loft with two rooms out of it; one a room with a fire-place in it, and the other a dark bed-room.

Q. This place had been vacant for some time before?

A. Yes; Firth had taken his cows out, I suppose as much as six or seven weeks, he had purchased a place in Iron Foundery Lane, and put his cows there.

Q. Had you observed in the course of that afternoon, whether any thing was fastened up against the window?

A. There was a kind of hop-sacking was fastened against the front window, going by, and likewise over the partition of the stable door, where the railing was a kind of a coarse matting.

Q. Did you see that matting put up?

A. Part of it was up, I saw at watering time three o'clock, when I came home to water.

Lord Chief Justice Abbott. Where was the matting?

A. On the inside—sacking or matting I call it the same it was very coarse stuff.

Elizabeth Weston sworn.

Examined by Mr. Littledale.

Q. Where do you live?

A. At No. 1, Cato Street, Edgware Road

Q. Do you recollect, in the afternoon of the 23d of February last, seeing any people in Cato Street?

A. About three in the afternoon I was standing at the door looking at my little boys that were playing in the street, and I saw a man come from underneath a gate-way with a bag on his left shoulder, and a key in his right hand and he unlocked the gates, and went in at the stable door.

Q. Did you observe some time afterwards any body?

A. About six o'clock in the evening I had occasion to go an errand; I took my little boy in my hand, and as I passed I saw a man of colour; I was frightened, knowing the stable to have been unoccupied for some time—I said, "Oh dear," and passed on. I have been very ill ever since that took place.

Q. How soon did you return from your errand?

A. About ten minutes—I was going to the corner of Molineaux Street, in John Street.

Q. After you returned from your errand, did any body knock at your door?

A. I saw Davidson standing by my door when I came back, standing in the same place where he was when I went.

Q. Should you know him again?

A. Yes, I certainly should.

Q. Look round and see whether you know him again?

A. Yes, that is the very man—after I had been in doors, and got my light, and by then I had set my tea things, a knock came loudly at the door, I went to the door saying to my little boy, "Your father is coming;" but when I opened the door, this man came and asked me to give him a light if I pleased; I said "Yes to be sure," he had two candles in his right hand, and he gave me one of them, and I gave him a light, and he took his hat off his head and put over it, and I leant out of my door and saw him go into the stable door—it was a little way open and he went in—that is all I know about it.

George Thomas Joseph Ruthven sworn.

Examined by Mr. Bolland.

Q. You are a constable of the public-office, Bow Street?

A. I am.

Q. Did you, in consequence of directions you had, go on the 23rd of February into Cato Street, Edgware Road?

A. I did.

Q. Alone or accompanied?

A. Accompanied.

Q. By whom?

A. By John Wright—there were three I knew that would meet me there.

Q. When you got there how large was your party?

A. At last it amounted, I believe, to about twelve, somewhere about that number.

Q. Where did you go?

A. I went into the stable, and saw a man with a blunderbuss or a gun on his shoulder, and a sword or cutlass by his side.

Q. At what time was that?

A. About half past eight.

Q. Was any other person in the stable that you observed?

A. I saw one, and I have some faint recollection; but I am not sure that there might be another.

Q. Did the whole party follow you into the stable?

A. I believe so.

Q. What did you do on getting into the stable?

A. When I saw the man with a gun on his shoulder, I said to some of the party that were following me to secure him.

Q. What did you yourself do?

A. I went up a ladder which I found there.

Q. Was any thing said by either of your men in the stable, or any of the parties?

A. Not that I am aware of; for I think it could not be a second before I was up stairs.

Q. Where did that ladder lead you to?

A. To a loft.

Q. What did you observe on getting into the loft?

A I observed several men, and heard the clattering of arms, swords, and pistols, that I saw.

Q. Had any of your party got up with you?

A. I had calculated about three or four.

Q. Who were they?

A. Ellice and Smithers, I am sure of.

Q. How many persons might there be—you saw a number?

A. I am not quite sure; but I thought, from the transitory view I had, about four or five and twenty.

Q. What is the size of that loft?

A. Fifteen feet five one way, and ten feet ten the other.

Q. Is there any other room adjoining to it?

A. There are two.

Q. Communicating by doors?

A. Yes.

Q. When you had gained the loft what did you say?

A. "We are officers, seize their arms!"

Q. That you said?

A. I said that myself.

Q. We are officers, and then turning to your men, "seize their arms?"

A. Yes, just so.

Q. Did you see any person in the room whom you knew?

A. I did.

Q. Who was that?

A. Thistlewood.

Q. How long have you been acquainted with the person of Thistlewood?

A. I should think four or five years; I knew him from the time of the trials before.

Q. Where was he?

A. He was standing on the right-hand side of the table, as we entered near to the door of a little room.

Q. Did he keep that position or move?

A. Immediately on my saying that, he looked up, and seized a sword that was on the table, and drew back into the little room.

Q. Was the sword drawn?

A. It was.

Q. What description of sword was it?

A. It appeared to be a very long one, and rather bright.

Q. With that he retired into the little room?

A. Yes, he did.

Q. What took place?

A. He stood fencing to prevent any body coming to him.

Q. Did any body approach him?

A. Smithers did.

Q. Upon Smithers approaching him, what happened?

A. He thurst his arm forward and stabbed him.

Q. Did Smithers fall?

A. He did.

Q. Did you hear any thing said in the loft upon that?

A. Smithers, when he fell, said "Oh my God, I am done!" or, "Oh my God!"

Q. What passed after that?

A. The lights were put out almost immediately, in a minute or two. Somebody said, from the corner of the room where Thistlewood stood, "Kill the b——rs, throw them down stairs!"

Q. How many lights were burning when you went in?

A. I think there might be eight.

Q. And they were put out?

A. They were.

Q. You were then all in the dark?

A. Quite in the dark.

Q. What did you do?

A. I heard a rush at the stairs, and I joined in the rush, saying "Ah kill them," and got down. I heard it, for I could not see it.

Q. You joined in their cry, and rushed down?

A. I did.

Q. Upon getting down what did you observe?

A. I did not observe any thing till I got into John Street, and there I met with the soldiers, and returned with them. There were a great many shots fired before I got down.

Q. Where were those shots fired from?

A. That I cannot tell; it appeared to me that they were fired in the direction towards the stairs.

Q. From what part of the room?

A. From the further part of the room.

Q. How many shots?

A. I think in the whole there might be between twenty and thirty; but some of those shots I think were fired from the inside to the street, not all in that direction.

Q. That is from the windows?

A. Yes, from the windows into the street.

Q. You say you met the soldiers and returned?

A. I did.

Q. What did you observe on your return?

A. I observed a man going from the door. I called out to seize him, and as I called out he lifted up his arm to fire.

Q. Which man have you ascertained that to be?

A. Tidd. That is the man *(pointing him out)*. I catched hold of his right arm, pulled him round, and fell with him on a dung heap.

Q. Did you succeed in disarming him?

A. The soldiers came up instantly, and his pistol went off.

A. He was secured.

Mr. Bolland. Did you search him on his being secured?

A. I did.

Q. What did you find upon him?

A. Round his waist I found a leathern belt.

Q. Of what colour?

A. A sort of buff colour, such as they use for ladies shoes. In his pocket I found two ball cartridges.

Q. Where was this that you searched him?

A. In the public-house called "The Horse and Groom."

Q. Did you find any thing else upon him?

A. I do not recollect any thing else.

Q. While you were in the public house, was any other prisoner brought in?

A. Yes, a man of the name of Bradburn. The man who stands last there.

Q. Did you search him?

A. Yes.

Q. What did you find?

A. Round his waist a string four or five or six times round.

Q. So as to answer for a belt?

A. It would do so.

Q. Did you find any thing else upon him?

A. Yes, he had six ball cartridges and three loose balls.

Lord Chief Justice Abbott. Were those ball cartridges for pistols or musquets?

A. I am not well versed enough to speak to that my Lord.

Mr. Bolland. Were any others brought in?

A. There were.

Q. Who were they?

A. Davidson and Wilson.

Q. Did you search Davidson and Wilson?

A. I did not.

Q. Did you see whether they were accoutred at all?

A. I did not.

Q. Did you remain there, or return to the loft?

Lord Chief Justice Abbott. Was he secured?

A. I do not know whether it is material, but when Davidson was brought in, he damned and swore against any man who would not die in liberty's cause—that he gloried in it.

Q. Did he do any thing else?

A. He sung a song, "Scots wha' ha' wi' Wallace bled,"—part of it—he was restrained from singing the rest.

Q. Did you then go back to the loft?

A. I did.

Q. Who was in possession of it?

A. Some soldiers, and some of the people of the office.

Q. Did you find any persons there who were afterwards taken into custody?

A. I did.

Q. Who were they?

A. There was Shaw Strange—I think his name is.

Q. Were there any others there?

A. There was Cooper there.

Q. Was Monument there?

A. Monument was there.

Q. Gilchrist?

A. Yes, and Gilchrist.

Q. Upon getting into the room, did you observe any thing more particularly, of any arms, or any thing of that kind?

A. I saw arms in the room, and I told them to search the room, and whatever each found to keep in his own possession.

Q. Did you find any thing?

A. Yes, two swords; a bag which I afterwards found to contain ten hand-grenades—I think it held them.

Q. Were they all of the same size?

A. All those in the bag were of the same size, and there were two parcels wrapped up in brown paper, nothing but tow as it appeared to me, and tar or something of that kind.

Q. In the shape of balls, or what shape?

A. They were wrapped up close together?

Q. What was done with the other arms; did those persons so keep them, or deliver them up to you?

A. They kept them at the time; there was one much larger than the rest I have described.

Q. One ball?

A. One grenade.

Q. Had they fuses in them?

A. They had all those; one was as big as my hat nearly.

Q. Who took that?

A. Nixon found it, and gave it to me at the time.

Q. What was afterwards done with those things; were they taken to Bow Street?

A. They were.

Q. And deposited there?

A. They were taken away again from Bow Street, but since deposited in the possession of an officer of Bow Street.

Q. They are all here to day?

A. They are.

Q. Before you went to the stable were you at the Horse and Groom?

A. I was.

Q. Did any thing take place while you were there?

A. There were three or four men came in—four I believe at last mustered.

Q. Do you know any of those men?

A. I did not know them at the time, but I recognised them afterwards.

Q. Was Cooper one of those men?

A. Yes he was, Gilchrist behind was another.

Q. Did they bring any thing with them?

A. They brought a stick.

Q. Which of them?

A. Cooper.

Q. What sort of a stick?

A. A broom-stick or mop-stick.

Q. What did he do with it?

A. It was left in the room when they went out.

Q. Did he or any of the party return for that stick?

A. Gilchrist returned.

Q. Did he succeed in getting it?

A. He did not, it had been removed.

Q. By whom?

A. By the boy of the house, who observing that one end of it was cut——

Q. Did you observe that?

A. I did.

Q. Did you take possession of that stick?

A. I did, I have it now.

Q. How was the stick cut?

A. Cut at the end about this depth down, as if to receive a socket of any thing. I likewise had a tuck stick brought me the next morning, and a dozen pieces of stick a sort of pike shaft.

Q. Who brought those?

A. They were brought by a person called Flannagan, and another person. I have had them in my possession ever since.

Cross-examined by Mr. Adolphus.

Q. You say you have known Thistlewood ever since the former trial?

A. Yes.

Q. Do you mean that in 1817, when Doctor Watson was tried?

A. Yes I do.

Q. When had you seen him last before this transaction on the 23d of February—stop a moment before you look to your book, had he been out of sight for some time?

A. No not a fortnight certainly.

Q. Had he lately been imprisoned to your knowledge?

A. No, not that I know of.

Q. I mean at Horsham?

A. I have heard of that.

Q. Do you know how long he had been come back from Horsham?

A. No, I do not.

Q. Had you seen him several times before the 23rd of February?

A. I had seen him more than five or six times within two or three weeks.

Q. Perhaps you had some particular motive for looking after him at this time?

A. I had.

Q. A motive connected with this event that took place afterwards?

A. Not that I am aware of.

Q. I mean watching some proceedings, the end of which was this meeting in Cato Street?

A. Not that I am aware of, I was watching him for another purpose, as I believe.

Q. Do you know a man of the name of Edwards?

A. I do not.

Q. Is there an officer in your office that has a relation of that name?

A. We have I believe four or five Edwards's; but I am not aware what relations they have.

Q. You have four or five Edwards's in your office, do I understand you rightly?

A. I think there are four.

Q. I am not pinning you down to the number; but there are about that number, there are three or four?

A. I remember three perfectly, and I think there are four or five.

Q. You were employed for some time before that to look after Thistlewood?

A. Yes.

Q. Upon whose suggestion that was, except those who employed you at the office, perhaps you do not know?

A. I do not.

Q. You have seen this person to whom I allude, named Edwards, since the 22nd of February?

A. I do not know the person to whom you allude,

James Ellis sworn.

Examined by Mr. Attorney General.

Q. I believe you are Conductor of the Patrole at the Public Office, Bow Street?

A. I am a Conductor.

Q. Did you on the 23rd of February last go with the other Officers to Cato Street?

A. I did.

Q. About what time did you get to the stable?

A. I think about half past eight, as nearly as I can judge.

Q. Did you go in after Ruthven?

A. Immediately after,—as soon after as I could walk in.

Q. Upon your going into the stable, did you observe any man in the stable?

A. I did; I observed two men.

Q. Did you observe whether either of them had any belts?

A. The first man nearest to me had two white belts, that apparently went across his shoulders.

Q. The one hanging over one shoulder and the other over the other?

A. Yes, cross belts.

Q. Did you observe whether he had any thing in his hand?

A. Either in his hand, or by his right side, he had a carbine or short soldier's piece, something of that kind; and in his left hand, or by his left side, I cannot say exactly which, a long sword.

Q. Did you observe his person?

A. I did on coming close to him; we were all crowded close at the time; I took hold of his collar and turned him round, and I observed he was a man of colour.

Q. Where was the other person whom you saw?

A. The other person was between the foot of the ladder and the manger in the furthest stall; there were three stalls, and this was the stall nearest the ladder.

Q. Did you follow Ruthven up the ladder?

A. I did as close as I could venture.

Q. As you were going up the ladder, did you hear any person say any thing from the stable?

A. I think it was before I got to the step of the ladder, I heard him say something giving notice; the last word was "men," but what the other words were I cannot say, but it was a notice to those above.

Q. When you got into the room above, what did you find there?

A. Upon gaining the top of the ladder, I observed a number of men falling back behind a carpenter's bench that stood across the room close to the wall.

Q. Did you hear any noise as you went into the room?

A. As I entered the room, I heard a noise similar to the rattling of swords, like two people fencing almost.

Q. How many men appeared to you to be in the room?

A. From what I could judge, there appeared to be from twenty to five and twenty, I cannot speak with more certainty.

Q. Did you observe Smithers?

A. On gaining the top of the ladder, there were four or five of the men, evidently, endeavouring to back into the little room at a distance of four or five feet from the ladder.

Q. There were two rooms opening into the loft?

A. Yes, this was the further one.

Q. Consequently the one looking into the street?

A. Yes it was.—At the moment I gained the top of the ladder, Ruthven who was before me cried out loud, "we are officers, seize their arms," or "surrender your arms," I cannot be positive which.

Q. This man, backing as you say into the room, did you observe Smithers do any thing?

A. Not just at that moment:—previous to that, Thistlewood—

Q. You know Thistlewood?

A. I knew him the moment I saw him again. I did not know him before, but I am perfectly satisfied that is the

man. He held his sword in his hand, and his hand shook at me: he stood in this manner: I held out my staff in my left hand, in this manner *(describing it)*: I might be then about five or six feet from him—five feet perhaps.

Q. Upon your holding out your staff in that way, what did Thistlewood do?

A. He still menaced me with his sword; I instantly held up my pistol with my right hand, and desired him to desist, or I would instantly fire.

Q. What happened upon that?

A. At that moment Smithers had gained the top of the ladder, and he rushed forward to the little room. Thistlewood, and the other men that were with him at that time, got back into the little room some feet and upon Smithers just getting to the side of the door, as I may be here, Thistlewood rushed forward, and struck him with his sword near to the right breast.

Q. Did Smithers fall upon that?

A. Upon that I saw Smithers' hands go up in this way, *(describing it)* and his head went back, and he said, "Oh, my God," and he fell.

Q. He fell into your arms?

A. No, he staggered against me:—upon seeing that I immediately fired my pistol but without effect; Smithers staggered against me at the moment I had fired, and fell back past me, more to my left.

Q. He fell dead?

A. I believe he fell dead: whether he staggered against Ruthven or not I do not know: the last light I saw was the flash of my own pistol; the candles were put out at that moment.

Q. You were forced down the ladder, I believe?

A. Yes, we were. I went into the door-way, and stood in the door way for a second or two.

Q. The door-way in Cato Street?

A. Yes.

Q. Were any shots fired during that time?

A. Yes, many shots were fired; two or three of which passed me in the door-way.

Q. Were any shots fired from any other part at that time?

A. I saw one shot fired by a tall man, he stood under the ladder, and fired up towards the manger.

Q. Were any shots fired from the window of the little room?

A. Yes; while I was standing at the door there were.

Q. Could you judge in what direction they were fired?

A. They were apparently fired towards the door.

Q. Towards the door of the stable?

A. Yes.

Q. Upon that did you pursue any body down Cato Street, towards Queen Street?

A. I heard a cry, and saw a man running with his belt on.

Q. In the direction of Queen Street?

A. Yes.

Q. John Street is on the left of Cato Street, and Queen Street on the right?

A. Yes, I pursued and took him about seventy or eighty yards from the stable door.

Q. Who was that man you so pursued and took?

A. Davidson, the man of colour.

Q. When you secured him had he arms?

A. He had a carbine, or a short piece of that kind, either slung to him, or in his hand, and in his left hand a long sword.

Q. Do you believe that is the man whom you first saw when you went into the stable?

A. I do believe that is the man, but I am not positive; I have very little doubt in my own mind that it is the same.

Q. I believe you afterwards assisted in securing some of the persons in the stable?

A. After delivering him to the custody of another person, I assisted in securing four of them in the loft.

Q. Do you know who the four persons were?

A. I am not positive as to their persons; I recollect Monument to be one, but I am not positive to the other three.

Cross-examined by Mr. Curwood.

Q. What situation do you hold ?
A. I am a conductor and a constable.
Q. You had the conduct I suppose?
A. I had the conduct of a part, Mr. Ruthven was the principal officer.
Q. Who had the warrant?
A. I had the warrant.

William Westcoatt sworn.

Examined by Mr. Gurney.

Q. You, I believe, are one of the conductors of the patrole of Bow Street?
A. I am.
Q. Did you go with the other officers to Cato Street, Edgware Road, on the 23rd of February?
A. I did.
Lord Chief Justice Abbott. You are a constable also?
A. I am.
Mr. Gurney. I believe at Bow Street, you are all constables?
A. Yes.
Lord Chief Justice Abbott. You are all sworn in as such?
A. The biggest part of us are.
Mr. Gurney. Are Ruthven, Smithers, Ellis, and yourself?
A. Yes.
Q. And Nixon?
A. Yes.
Q. Did Ruthven, and Ellis, and Smithers, go up the ladder into the loft?
A. They did.
Q. Did you hear any disturbance going on in the loft; any firing?
A. Yes.
Q. Did you remain in the stable?

A. I did.

Q. While the others were going up, or when they were up, did you observe any person in the stable?

A. I did.

Q. Who was that?

A. Ings—that is the man *(pointing to him.)*

Q. What did you do?

A. I took him by the collar.

Q. You and he had a contest I believe?

A. Yes, we had against the wall.

Q. Whilst you and he were in the contest, did you find the other officers coming down the ladder?

A. There was a terrible confusion in the loft; he went to put his hand to the right side, as I thought, to get something, and I hit him a blow on the side of his head; as I was getting out my handcuffs, they came down, a number of them from the loft.

Q. In what manner?

A. Some of them tumbling down, and others came down afterwards gently.

Q. Did you observe any one of those whose face you knew?

A. I did.

Q. Who was that?

A. Thistlewood.

Lord Chief Justice Abbott. Was there any light in the stable at that time?

A. There was.

Mr. Gurney. Had you officers taken a light?

A. No, not at that time.

Q. When Thistlewood came down the ladder, what did he do?

A. He turned round and presented a pistol to my head; I put up my hand in this kind of way to defend myself.

Q. What did he do?

A. He fired at me.

Q. How near to your head was it the pistol was fired?

A. Very near; there were three holes made in my hat

(showing them.) I went to make a rush, and received a blow on the right side of my head, and I fell with it.

Q. What was that blow from; was it given you by a weapon or a fist?

A. I do not know; but it beat the hat in.

Q. When you were down, did you observe Thistlewood do any thing?

A. Yes, he made a cut at me with something like a sword, and went out at the stable door.

Lord Chief Justice Abbott. Leaving you in the stable?

A. Yes.

Mr. Gurney. Did you attempt to follow him?

A. Yes; but he was out of sight before I could get at him.

Q. Were you wounded at all?

A. Yes, in the hand with a ball, when I put up my hand to shield myself, the ball touched my hand and grazed it in this way.

Luke Nixon sworn.

Examined by Mr. Littledale.

Q. Are you one of the Bow Street officers?

A. Yes.

Q. Did you go to Cato Street, on the 23rd of February last?

A. Yes.

Q. When you first got into the stable, what did you see?

A. There was a ladder just by entering the front of the door, and I saw Ruthven, Ellis, and the deceased, and Gibbs; they went up and I followed them; against I got to the top the lights were all out, and I remained about half a minute or scarcely so much. Just as I got up, I saw Ellis fire a pistol, but I thought it was they had fired at him; it was into the little room he fired it.

Q. As soon as the fire was returned, when Ellis fired the pistol, were you knocked down?

A. There was another pistol or two were fired from this

little room, but I could not see; I was only just at the head of the stairs, then there was a rush and I fell backwards, hit my leg against something, cut it about three inches, and my head went against the wall, and cut my hat. I fell down stairs, and then there came a rush of people down, and I think I saw one about two steps from the bottom. I saw him present a pistol towards Westcoatt.

Q. Who presented that pistol?

A. I really believe it was Thistlewood: I really believe it was that man that sits down there, he presented it against Westcoatt; but his side face I could not distinctly see.

Q. At that time had Westcoatt apprehended any body?

A. He had got Ings in custody when I went up stairs.

Q. Did Ings get away from him?

A. He got away from him after they shot at him.

Q. Did you pursue Ings?

A. Westcoatt said "Stop that fellow," and I pursued Ings.

Q. Was he brought back again?

A. Yes; he was taken by Wright and Chapman, I believe; they had got him in custody.

Q. Some time afterwards, did you find any thing in the stable?

A. I went into the stable afterwards, and found a sword.

Q. Any thing else?

A. Then I went up stairs again into the loft, and I found a bayonet; and then I saw Ruthven hunting about, and I followed him, and he found a bag and opened it, and I saw some balls about this size, *(producing one)* there were a quantity of them, I cannot tell how many.

Q. Did you find any thing besides those?

A. Afterwards, when I was going down stairs with those combustibles, there was another piece of stuff in a kind of a tin can wrapped round with paper—I shook it—I look upon it, it was seven or eight pounds or more than that.

Q. You delivered it to Ruthven?

A. I did.

John Wright sworn.

Examined by Mr. Bolland.

Q. You are a patrole at Bow Street?

A. Yes.

Q. Were you one of the party of officers that went to Cato Street on the 23d of February?

A. I was.

Q. Where did you muster?

A. I went to the Horse and Groom, in company with Mr. Ruthven.

Q. While you were in the Horse and Groom, did you see any of the prisoners come in?

A. Cooper and another came in, and had a pint of porter.

Q. Had Cooper any thing, or did he leave any thing?

A. He brought in a stick, and left it behind him on the seat.

Q. What sort of a stick was it?

A. A broomstick or mop handle.

Q. Do you know whether Ruthven has it in his custody?

A. I saw it in his possession afterwards.

Q. Did you accompany the party to the stable after that?

A. Yes.

Q. What happened when you got into the stable?

A. After I had got about three or four stairs we were knocked back again; we were driven back again. I turned round, and observed a man in the further stall.

Q. What sort of a man was he in person?

A. He had a great coat on; but I should not be able to swear to him.

Q. What sort of a person was he?

A. A stoutish person.

Q. Did you observe any thing on that man?

A. I observed he had something shining under his

coat; I took it from him and found it to be a sword on one side, and a knife from the other side—a butcher's knife.

Q. Where is that knife?

A. It is up stairs.

Q. What sort of a handle had it?

A. A butcher's handle tied round with wax end.

Lord Chief Justice Abbott. Do you mean to produce the knife?

Mr. Bolland. Yes, my Lord.—Did you take that man into custody, or did he escape?

A. At that moment I was knocked down and received a stab in my right side, and the man escaped.

Q. Did that disable you from doing any more, or did you recover from it?

A. I got up and went out of the door, and shortly after the soldiers came down. On their coming down they stopped me; I told them I was an officer. Captain Fitz-clarance went into the stable, and there were two persons brought out.

Q. Who were they?

A. Wilson was one, and Bradburn, who stands on his right hand side another.

Q. Did you search the person of Wilson?

A. I searched Wilson, and found some ball cartridges in his pocket, and I found a haversack on his side suspended across his shoulders, which hung on the right hand side of him.

Q. Did you find any thing in that haversack?

A. There was a ball cartridge there, and a pair of scissors.

Q. How many ball cartridges?

A. There might be about two dozen.

Q. Did you find any thing else?

A. A gun flint or two.

William Charles Brooks, sworn.

Examined by Mr. Solicitor General.

Q. I believe you are one of the Bow Street patrole?

A. Yes.

Q. Where were you stationed on the 23rd of February, in the evening?

A. I just turned into John Street, and was asking a coachman whether he had seen any men.——

Q. Never mind that, what passed at that moment?

A. Mr. Birnie came up to me and said "Run Brooks," and pointed over the way.

Q. What did you see over the way?

A. I saw the prisoner Ings and a man before him with a cutlass drawn, but it was so dark I could not distinguish whether the other was one of our people or not; I learnt that afterwards.

Q. In consequence of this what did you do?

A. I saw Ings with a pistol in his hand, presenting it to the other man; I said "you scoundrel," he turned sharp round, and said, "I will shoot you," presenting the pistol—I made a snatch at it, and he fired the pistol.

Q. What is that you have in your hand?

A. A great coat; the shot passed through the collar of it, through this coat I have on now, and this waistcoat; bruised my shoulder, and went out at the back of my neck; there is a mark of it here (*in the back of his neck.*)

Q. After he had fired the pistol, what did he do?

A. I staggered into the road a little way, and he came into the road a little way, I suppose, in fear of my partner, and then went off towards the Edgware Road--he was not above ten yards—I pursued him, and just as he turned the corner, a very little way from the corner, two or three yards, he flung the pistol from him. I was never further from him than I am from that gentleman; I called out to stop him, because I thought I was going to fall.

Q. Was he stopped?

A. Yes, he was, by Moay the watchman—Moay had hold of him about a second before I had.

Q. Did you see Moay lay hold of him?

A. Yes I did.

Q. When you came up to him what did Ings say?

A. I said, "You rascal why did you fire at me, a man you never saw before;" he swore at me and said, he meant to kill me, and he wished he had done it, as he knew he should be hung.

Ings. Pray my Lord, am I permitted to ask no questions?

Lord Chief Justice Abbot. You are not upon your trial at present.

Mr. Solicitor General. Are you sure those you have repeated, are the expressions he made use of?

A. Yes, I am quite sure.

Ings. It is false.

Mr. Solicitor General. After he was taken was he searched in your presence?

A. We took him down to Marybone watch-house. I said, "If you offer to put your hand into one of your pockets, I will knock you down," or "knock your brains out;" I did not know but that there might be something in his pocket—he said "You may as well as at another time."

Lord Chief Justice Abbott. This does not refer to the general matter; any thing about him is evidence in confirmation of that.

Mr. Solicitor General. Did you search him?

A. Yes, he had two haversacks, one slung over his shoulder, and another over his arm.

Q. Had he a great coat over them?

A. Yes, so as to hide them.

Q. What else did you find?

A. I found a belt buttoned round him, apparently to hold two pistols on each side.

Q. Two brace?

A. To hold two pistols on each side, I put my hand into his right hand pocket and pulled out a tin case nearly

full of powder, and a letter belonging to some society: I thought it was the Free-masons' Society.

Q. Did you find any thing else?

A. No, I saw my partner take three slugs out of his other pocket.

Q. Who is your partner?

A. Champion—and a knife case about that long.

Q. About a foot long?

A. Nearly that; I took nothing else but a knife and a comb from him; he was confined, and I went back to the stable.

Giles Franklin Moay sworn.

Examined by Mr. Solicitor General.

Q. I believe you are a watchman?

A. Yes.

Q. What was your beat on Wednesday night, the 23rd of February?

A. In the Edgware Road.

Q. Did you hear the discharge of any fire arms?

A. Yes, I did.

Q. Did you afterwards see any men together, one of them running?

A. When I first heard the firing, I came immediately down towards it.

Q. Down John Street?

A. No, down Edgware Road, I saw a man immediately come out of John Street, and fire immediately. I cannot say whether a carbine or a pistol; then I saw Brooks stagger; it was very moon-light; then another came and called out stop thief: I took the road and met him.

Q. Did you stop him?

A. Yes; I struck at him and he caught my stick in his hand, and then we had a tussel; then I kept him till Brooks came down, and we found some slugs, six or seven, and some powder in a tin box, and a knife, sheath, and a belt, on each side to hold a pistol.

Joseph Champion sworn.

Examined by Mr. Gurney.

Q. You are one of the Bow Street officers?

A. Yes.

Q. Did you accompany them to Cato Street, on the night of the 23rd of February?

A. I did.

Q. Did you see any person. I will not take you over the whole story; but did you see any person get through the stable and get away you knew.

A. No, except Ings.

Lord Chief Justice Abbott. Did you know him before?

A. No.

Mr. Gurney. Upon the other officers going up the ladder, did you hear Ings say any thing?

A. Yes.

Q. What did he say?

A. He said "look out above there," as a signal as I thought: he was standing with his back against the wall, just facing the ladder. These are the things I took out of his jacket pocket—this is the case of a knife, four pistol balls, and a key and a pistol.

Q. Where did you take those from him?

A. In Marybone watch-house.

Q. After the officers were driven down the ladder, did you see any person escaping?

A. I did not see any persons in the stable; there was a person got down into the rack.

Q. Did you see any person make his escape?

A. I saw no other person but Thistlewood, that was in Cato Street.

Q. Had he any thing in his hand?

A. A sword, which he waved once or twice opposite his person, though there was no person opposite to him.

Lieutenant Frederick Fitzclarence sworn.

Examined by Mr. Attorney General.

Q. I believe you are a Lieutenant in the Coldstream Guards?

A. Yes.

Q. Do you recollect on the 23rd of February, going with a picquet to John Street?

A. I do.

Q. You had been desired to attend by Mr. Birnie, the Police Magistrate?

A. I had.

Q. About what hour was it when you got to John Street, do you recollect?

A. I should think near eight, between eight, and a quarter past.

Q. Some time after you had been in John Street, did you hear any thing that attracted your attention towards Cato Street?

A Directly after I was in John Street, I heard a pistol shot which appeared to come from Cato Street.

Q. Did you upon that get the picquet to advance towards Cato Street?

A. I then brought the picquet forward double quick towards Cato Street.

Q. We understand there is an arch over the entrance into Cato Street out of John Street?

A. Yes.

Q. On entering that archway, what occurred?

A. I met an officer who halloed out, "soldiers, soldiers, the door way--the stable."—I ran towards the stable, and I was met on my right hand by one man, and on my left by another: the man at the stable door cut at me with a sword, and the one on my left presented something at me; the one in the door-way seeing a body of troops coming on, the picket, ran into the stable.

Lord Chief Justice Abbott. Was that the man that cut at you?

A. Yes, my lord, we exchanged several cuts before he went in.

Mr. Attorney General. What did the other man do upon that?

A. I could not see after he had done this, but the moment he presented a pistol, the other man cut at me; there was a scuffle at my right hand—I ran into the stable door.

Q. There was a scuffle between Legg and the men?

A. I believe there was. I followed the prisoners in; I ran in, and came against somebody inside the stable: he gave himself up, saying, "do not hurt me—do not kill me, and I will tell you all."

Q. Do you know who that was?

A. I do not know, it was in the dark.

Q. Was it one of the men that was secured?

A. Yes, it was,—I gave him to some of my men, and ran into the stable.

Q. I believe then you went to the up-stairs room?

A. No. I then ran up into one of the stalls, and secured another man: the soldiers took him away. I then called to a file of grenadiers, to follow me up the ladder: upon my going up stairs, there was a light appeared gradually coming up from the bottom: when I got up, I secured from three to five.

Q. You do not know the number?

A. No—I do not know whether it was three, four, or five: I rather think it was four.

Q. It was four, but it is not material.

A. I went down immediately after, having secured them—directly after I got up, I fell against the body of poor Smithers.

Q. He was lying dead?

A. Yes, close to the top of the ladder.

Q. I believe also you saw arms in the loft above?

A. Several.

Mr. Attorney General. My lord, I will not call any of the other soldiers; I do not feel it necessary to trouble your lordship with their evidence.

Samuel Hercules Taunton sworn,

Examined by Mr. Solicitor General.

Q. I believe you are a Bow Street officer?

A. Yes, I am.

Q. Did you on the morning of the 24th go to Brunt's lodgings with a warrant?

A. Yes, I did.

Q. When you went up stairs, did you first go into the front room, or into the back room.

A. Into the front room, two pair of stairs.

Q. Did you search those rooms?

A. I did.

Q. I believe you found nothing material there?

A. No, nothing material.

Q. After you had searched those rooms, did you go into the back room?

A. Yes.

Q. What did you find there?

A. I found two rush baskets, one tied up in an apron, and the other not tied up.

Q. Where was Brunt?—had you any conversation with him?

A. He was in the front room while I searched the back room—it was an empty room.

Q. Did you ask him about those baskets?

A. Yes, he said he knew nothing of them; he did not belong to that room,—it was not his apartment.

Lord Chief Justice Abbott. Did he say he knew nothing of them?

A. That the room did not belong to him.

Mr. Solicitor General. Did you ask him as to the baskets?

A. Yes, I brought them in; he said he knew nothing of them.

Q. And he also added that the room did not belong to him?

A. Yes, he did: there was a pike shaft found in the room, and an iron pot—that was all besides the baskets.

Q. Were there any marks of pitch or tar on the iron pot?

A. Tar, I believe, there was at the bottom of it.

Q. Did any conversation take place in his presence, as to whom the room belonged to?—did the landlady come up?

A. When I found he denied the apartments, I sent for the landlady.

Q. Mrs. Rogers?

A. Yes.

Q. Did she come?

A. She did. I asked her who those apartments belonged to.

Q. In Brunt's presence?

A. Yes;—she said that her niece Eleanor Parker had let them to a man she did not know who—but in the presence of Brunt.

Q. Whatever she said, she said in the presence of Brunt?

A. Yes.

Q. What did Brunt say as to his knowing any thing of the man who had taken those apartments?

A. I asked Brunt who this man was? He said he had met him in a public-house.

Lord Chief Justice Abbott. When you asked Mrs. Rogers to whom the back room belonged, what answer did she make?

A. She said she did not know the man—her niece had let it to a man when Brunt was in his company.

Mr. Solicitor General. What did Brunt say to that?

A. He did not say any more than I have repeated:—that it was a man at a public-house, but he did not know his name, for I asked him his name.

Q. What did he say about a man at a public-house?

A. That it was a man at a public-house who was along with him; when the lodgings were taken.

Q. Was that the answer he gave when the question was put, who had taken the room?

A. Yes.

Q. After you had searched this place did you go to Tidd's?

A. Yes; I did immediately afterwards.

Q. Where was that?

A. In Hole-in-the-Wall Passage, No. 5, near Grays-Inn Lane.

Q. When you went to Tidd's, what did you find at Tidd's?

A. I found a very large box—a box full of ball cartridges.

Lord Chief Justice Abbott. Do you mean to say a box, or a very large box?

A. About two-feet long and a foot and a half wide. I counted the cartridges, and they amounted to 965.

Q. Did you find any thing else at Tidd's?

A. Yes.

Q. What?

A. Some grenades.

Q. How many?

A. Ten; and a great quantity of powder.

Q. Of gunpowder?

A. Yes.

Q. Did you, besides the ball cartridges that you found in the box, find any other ball cartridges there?

A. Yes, in a haversack.

Q. How many?

A. A great many.

Q. Can you tell us about how many?

A. 434 balls in the haversack; 171 ball cartridges; 69 ball cartridges without powder, that is a ball in each cartridge; and about three pounds of gunpowder in a paper.

Q. There was a coarse canvas cloth. Did you find any thing in that?

A. Ten grenades and eleven bags of powder.

Q. Are those the same grenades you have just spoken of?

A. Yes.

Q. What were the ten grenades in?

A. In a brown wrapper which was tied up; ten grenades and eleven bags of powder—one pound each.

Lord Chief Justice Abbott. What sort of bags were those?

A. Flannel bags.

Q. Were there any of the same description of bags that were empty?

A. There were ten flannel bags empty.

Mr. Solicitor General. Were there any balls?

A. There was a small bag with a powder flask and 68 balls.

Q. Musket balls?

A. Yes;—4 flints, and 27 pike handles.

Q. Are all those things here?

A. They are all here.

Q. You told us you took the two baskets you found, at Brunts?

A. Yes.

Q. You afterwards, I presume, searched the baskets?

A. Yes.

Q. Tell us what were the contents of those baskets?

A. Nine papers; I believe I mentioned before, with rope yarn and tar, and some steel filings. In another basket there were four grenades, three papers with rope yarn and tar, two bags of powder of one pound each.

Q. The same description of bags as those you have just spoken of?

A. Yes; flannel bags and five flannel bags empty, one paper with some powder in, one leather bag with 63 balls in it—that is all that was in the basket; there were also one iron pot and one pike handle.

Q. Those you took into your custody, and they are here?

A. They are.

Cross Examined by Mr. Adolphus.

Q. When was it you found all those things?

A. The 24th of February.

Q. Was Brunt present when you found those things?

A. Yes, he was.

Q. As to those found at Tidd's, Tidd had been away from the day before?

A. Yes.

Re-examined by Mr. Solictor General.

Q. What time was it when you went to Tidd's?

A. I went to his lodgings after I had been to Brunt's, I believe, it was about half after eight o'clock.

Daniel Bishop, sworn.

Examined by Mr. Gurney.

Q. You are an officer at Bow Street?

A. I am.

Q. On the morning of Thursday the 24th of February, did you, with other officers, go to apprehend Thistlewood?

A. I did, to No. 8, White Street, Little Moorfields.

Q. About what time?

A. Between ten and eleven in the morning.

Q. What was the name of the person who lived in the house?

A. Harris.

Q. After searching different rooms in the house, did you get a key and open the door of a room on the ground-floor?

A. I received a key from Mrs. Harris.

Q. You had searched the up-stairs rooms first?

A. Yes.

Q. Did you at last receive a key from Mrs. Harris, and open the door?

A. I opened the door facing Mrs. Harris's room on the ground-floor.

Q. Upon opening the door whom did you see in the room?

A. I saw Thistlewood put his head from under the clothes, he was in bed, the shutters were shut, but there were some

small holes which admitted light enough for me to see who it was.

Q. What did you do?

A. I had a pistol in one hand, and a staff in another; I told him my name was Bishop, of Bow Street, I had a warrant against him, and I threw myself on the bed.

Q. What did he say?

A. Thistlewood said, "I shall make no resistance."

Q. Did you afterwards search any of his clothes?

A. With the assistance of my brother officer, we secured him; he had then his breeches and stockings on in bed.

Q. Were his coat and waistcoat lying by the bed side?

A. They were.

Q. Did you search the waistcoat pocket?

A. Yes, I did.

Q. What did you find in it?

A. I found three leaden balls, two flints, one ball cartridge, and one blank cartridge, likewise a small silk sash.

Q. Did you find any thing in his coat pocket?

A. I saw Lavender take from his coat pocket a black cloth belt, with a place to put pistols and a sword in—in conveying the prisoner in the coach———

Mr. Gurney, We need not go into that.

Cross-examined by Mr. Curwood.

Q. Did Edwards go with you?

A. I do not think either of them did—we have several of that name at Bow Street.

Q. I do not mean one of your officers, but another man of the name of Edwards?

A. I do not know any other.

Q. You went in consequence of information?

A. Yes, which I received not ten minutes before; I did not know of it ten minutes before.

Q. Did your informant go with you?

A. No, he did not, or I should not have gone to the other rooms first.

Stephen Lavender sworn.

Examined by Mr. Gurney.

Q. Produce the belt you found in Thistlewood's pocket?

The witness produced the same.

Q. There are places for two pistols?

A. Yes, there are.

George Thomas Joseph Ruthven, produced various articles.

Mr. Solicitor General. First produce those found at Cato Street?

A. This is the mop stick that was left at the public-house (*producing it*) that is the belt taken off of Tidd, (*producing it*) these are two of the swords I found in the room.

Q. In what room?

A. The loft in Cato Street—this is the large grenade found in Cato Street, which was given to me by Nixon.

Mr. Solictor General. The arms till within the last twenty-four hours were loaded, the greater part of them?

A. They were unloaded yesterday.

Q. Were they loaded with ball?

A. They were, and this is one of the hand grenades; there were ten of them, one has been since taken away by order of Colonel Congreve.

A Juryman, (Mr. Goodchild.) It will be necessary, perhaps, my Lord, to have one of those opened, as it is stated they contain powder?

Mr. Solicitor General. One of them has been opened, Gentlemen, and you will have evidence before you what it contained.

Ruthven. This is the string Bradburn had tied round him—these are two candlesticks—these are the six ball cartridges, Bradburn had in his pocket.

Lord Chief Justice Abbott. If you could keep by themselves the things found in Cato Street, it would be convenient.

(*The Witness handed in several pistols, swords, and a knife.*)

Mr. Solicitor General. From whom was that knife taken?

Wright. I took it from the stout man in the stable.

Lord Chief Justice Abbott. I wish we could have put together the things that were found in the loft in Cato Street.

Ruthven. There is a rope ladder that was found in the loft.

Mr. Solicitor General. Were there any more things in Cato Street?

A. Not that I am aware of; the soldiers had some.

Q. Have you those which the soldiers had?

A. The soldiers had them themselves; they marked them, and will produce them themselves.

Mr. Solicitor General. It is not necessary for us to examine the soldiers, my learned friends do not desire that—take them from the soldiers.

A. This is the pistol fired at Serjeant Legg.

Lord Chief Justice Abbott. Then that is not found in the loft?

A. No, my lord.

Q. Mr. Solicitor General. Was any thing more found in the loft?

A Yes; these pikes and a pistol (*producing them*).

Q. Where was this blunderbuss found?

A. In the loft.

Q. Where were those pikes found?

A. In the loft.

Q. Have you counted how many there are of them?

A. I have not in that parcel; there are six in one parcel.

Mr. Solicitor General. Some of them are bayonets, and some are sharpened files; about one-third are files, and the rest are bayonets—the jury will have the kindness to look at the handles—there is a screw apparently made to screw into poles?

A. This is the ball and powder taken out of the arms; this was taken in the loft (*handing in a musket*), these were taken in the loft (*handing in a bayonet, another pike head, half a dozen more pike heads, two pistols and swords.*)

Q. Was this sword taken in the loft?

A. Yes, it was, and here is a belt formed for the purpose—that small pistol was found under a ladder in the stable.

Q. Was that carbine found in the loft?

A. I am not quite sure as to that.

Lord Chief Justice Abbott. It is not very material in the production of them, whether they were found in the loft or taken from the persons of the prisoners, in the loft?

A. They were all taken in Cato Street.

Mr. Solicitor General. You have given me what were found in the loft, will you give me all the things that were found in Cato Street, whether in the loft or on the persons of the prisoners?

A. Those pike staves were found in the loft over the stable; but Flannagan can speak to them. *(One of the pikes was screwed into a handle.)* That *(a blunderbuss)* was found in the stable.

Q. Produce any that were found on the persons of the prisoners?

A. A small blunderbuss and a sword were found on Davidson.

Q. And any thing more?

A. Not upon him; these were found and brought to the office, having been taken in the premises of a person of the name of George, who was apprehended *(handing in a musket and other arms.)*

Q. We have nothing to do with them; take them away.

A. This is the one that Muddock took from Wilson, that he fired at him as he went in.

(Three or four more pistols handed in.)

Q. Will the soldiers, each, recognize those they took?

A. Yes.

Q. From whom were those belts and bag taken?

A. Davidson, those two bags were taken from Ings, and that belt and the case containing some powder.

Q Now give us the knife?

(It was produced.)

Q. The handle of that is covered over with wax-end?

A. It is. This bag *(producing it)* was taken from Wilson, and that sword from Wilson. I beg pardon, the knife and the sword were taken from a man that got away

that he cannot identify, the bag was taken from Wilson.

Q. You have now produced all that was taken in Cato Street?

A. Yes, I have.

Q. Now produce what was taken at Brunt's lodgings?

The Witness produced two baskets and an iron pot, and took the articles out of one of the baskets.

A. That leather bag contains balls.

Q. That is one of the flannel bags filled with powder?

A. Yes.

Q. They are all about the same size?

A. They are much about—there is another one filled, and this empty.

Q. Shew some of the fire balls?

A. This is one made of tow dipped in tar (*producing it*).

Q. Shew one of the grenades?

A. This is one (*producing it.*)

Q. They are the same as the grenades taken at Cato Street?

A. Yes. Here is another basket not done up in a handkerchief, which seems to contain the same sort of thing—these are all of a sort (*producing them.*)

Q. Fire balls?

A. Yes.

Q. That is the iron pot of which you made mention?

A. Yes.

Q. Is there an appearance of pitch and tar having been boiled in it?

A. Yes, there is.

Q. Now produce those that were taken at Tidd's lodgings?

Taunton (producing them.) Here are 965 ball cartridges.

Q The box is quite full?

A. It is; there are five in each of these parcels.

Q. They are done up in little parcels?

A. Yes; all in fives, with a ball in every one.

Q. What is in that bag?

Ruthven. Those are the grenades.

Mr. Solicitor General (To Taunton.) You examined that?

A. Yes; here are the bags containing each a pound of gunpowder.

A Juryman (Mr. Goodchild.) You have weighed them?

A. I have.

Mr. Solicitor General. That is all, I believe?

A. There are two dozen more of these *(pike shafts.)*

Q. That were taken at Tidd's?

A. Yes.

Q. Are they of the same sort as those upon the table?

A. Exactly the same.

Q. They appeared to have been recently cut?

A. Yes.

John Hector Morison called again.

Examined by Mr. Attorney General.

Q. Look at that sword, do you know that?

A. Yes.

Q. Is that the sword which you sharpened for Ings?

A. Yes, the first one.

Q. Are you quite sure of that?

A. Yes; there is a mark on the blade by which I know it.

Serjeant Edward Hanson sworn.

Examined by Mr. Gurney.

Q. Are you a serjeant in the Royal Artillery?

A. Yes.

Q. Have you examined one of those grenades produced to you at Bow Street?

A. I have.

Q. How is it composed?

A. The bottom of it is a tin case about three inches long, and then projecting about a quarter of an inch there is a tin tube brazed in. You see the outside of it with composition to fire off the powder.

Q. This tin is a kind of carcass?

A. Yes; it contained three ounces and a half of gunpowder.

Q. What is the priming in the tube?

A. It is a composition saltpetre, as far as I can ascertain, powder and brimstone.

Q. Over the tin what is there?

A. It is pitched just at the end of the tin.

Q. What is wrapped over it?

A. Rope-yarn entirely round it.

Q. Is there any thing fastened in the rope-yarn?

A. Next to the tin there is a body of oakum about an inch thick, and it is cemented then with tar and rosin mixed up together to make it fast. It is very fast, and will not peel off.

Q. Do you then find any pieces of iron?

A. There were twelve pieces of iron planted round one that I opened, in different directions regularly round.

Q. What time would it take from the lighting of the fuse before the grenade would explode?

A. I cannot exactly say,—I suppose about twenty or thirty seconds: the tube was something better than three inches.

Q. In about half a minute?

A. Or scarcely so much.

Q. If one of them were to explode in a room where there were a number of persons, what would be the consequence?

A. It would do a great deal of damage; it would be very destructive.

Q. Those pieces of iron would fly about?

A. Yes.

Q. Like so many bullets?

A. Yes.

Q. Take that into your hands:—does it appear to you to be similar to the one you opened?

A. Yes, the very model.

Q. Take your knife and open that.

A. It will take a long while to open it.

A Juryman. (*Mr. Aldersey.*) The jury wish to have it opened.

Mr. Attorney General. By all means, Gentlemen.

One was taken to pieces in the presence of the Jury.

Mr. Gurney. What are those you have come to now?

A. Fire nails—cart nails.

A Juryman. (Mr. Aldersey.) It is what fastens on the tire of the cart wheels: some appear to be old and some new.

A. This is an old black stocking.

Mr. Gurney. All that tightness renders it the more effectual?

A. Yes, here is another stocking, and then we come to the tin—the carcass. (*the witness opened the tin case*) Here is the powder in it, and it is very good too.

A Juryman. (Mr. Aldersey.) Do you consider that good gunpowder by its granulations?

A. Yes, it is very good.

Mr. Gurney. Take into your hand one of those we call fire-balls,—have you examined them also?

A. Yes, I have.

Q. What appears to be the composition of them?

A. It is oakum, tar, and stone-brimstone pounded; may be there is rosin.

A Juryman. (Mr. Aldersey.) There is no killicrankie and refuse of the rosin—is there?

A. Yes, there is.

Mr. Gurney. If one of them was lighted, and thrown into a barrack or a building,—would it set it on fire?

A. Yes, it would be sure to set it on fire: nothing could put it out as long as there was any of it left.

Q. How long would it burn?

A. Three or four minutes.

Q. It would set wood on fire?

A. Oh yes; if it fell on wood it would set it on fire.

Q. And if it fell on straw, it would set that on fire more easily?

A. Certainly.

Mr. Attorney General. That, my lord, is the case on the part of the crown.

Mr. CURWOOD.

May it please your Lordship,

Gentlemen of the Jury,

Had it been permitted to me, consistent with my own sense of moral and professional duty, to have declined the arduous task which is now before me, I had not stood here to address you upon the present momentous occasion. But, Gentlemen, perhaps it is one of the brightest attributes of our profession, and which we the members of that profession think redounds to our greatest credit, that we are not at liberty to refuse our assistance to persons in the situation of the unfortunate man at the bar. Gentlemen, no man can feel more deeply impressed than myself with a sense of the very great weight of the arduous task I have to perform. I feel that the unfortunate prisoner at the bar has a right to demand from me to do my duty, boldly and fearlessly, unawed by any consideration of the power of Government, who are his prosecutors, and unseduced by the allurement of hope in conciliating their favor. I feel also that I have a sacred duty to perform to my country, which is to render my best assistance to the prisoner in the administration of the law, as relating to his case, and not if I had even power or ingenuity enough to effect it, to attempt to pervert that law, or to defeat the purposes of justice. I also feel, Gentlemen, that I owe this to my own fair fame, which was my only inheritance, and is my best possession.

Gentlemen, with those feelings weighing and pressing me down so as almost to unnerve me, I hope I may say that I look for assistance with humble confidence to that Power, which however men may neglect in the times of prosperity or of levity, yet, in distress and in difficulty, and in the moments of trial, we all look to for consolation and support.

Gentlemen, it is fit that upon an occasion of this sort, you should know something of the man who addresses you. And although I readily admit that for a man to speak publicly of himself is usually an arrogant vanity, yet, as I am anxious on this occasion that those arguments which I may

address to you, should at least have all the weight that they may intrinsically deserve, I am desirous you should know that I have no bias on my mind to impel me aside from the even path of my duty. For it is not to be denied, that this unfortunate transaction arises out of a state of things in our country, which we must all lament and deplore; and it is equally true, that men will have prejudices on certain points connected with this prosecution, it having relation to certain political transactions, upon which various and opposing feelings are widely diffused. Gentlemen, with respect to myself, though I cannot deny as an Englishman that I have feelings on certain points of government, yet I never enrolled myself with any political party. I never attended public political meetings in my life, so that I stand unwarped by party spirit. I am equally as free from bias on the other hand, for, with respect to Government, I never received either in or out of my profession the slightest favour, nor none have I reason to hope for or expect, so that, looking into my own breast, I have no motive there to influence me but that of doing my duty, and that I will endeavour fairly and honestly to perform.

Gentlemen, the weight of this duty both to my learned friend and myself is not a little increased from the lateness of the moment at which we were called upon to execute it. Not until Thursday night was it that I received instructions in this case, or knew that I was to be called upon to defend the prisoner. In that short interval, I have had to prepare myself to meet the first talents at the bar, long and sedulously employed in considering and maturely adjusting every debateable point, aided with all the support that the wealth, the power, and the influence of Government can give them: while, on the contrary, I am in the situation of having had scarce a day's notice to argue before you whatever might arise out of this very important case.

Gentlemen, in the attentive ear which I gave to Mr. Attorney General in opening this case, as it was my duty to do, I could not fail to observe, and I observed it with some degree of surprize, that he did not state to you precisely what were the points you were called upon to decide. He indeed

stated to you that this was a prosecution for High Treason; but he gave you no precise statement of the exact issues you were to try. He dwelt a great deal on that which I must admit, and do admit, constituted a great moral guilt on the part of the prisoner at the bar; but he did not state to you precisely what was the guilt he imputed to him by the present Indictment. Now, Gentlemen, there is unfortunately mixed up with this transaction a great deal which must necessarily make a deep impression on your minds:—there is a great deal of guilt, but take this with you at the same time, that there are other Indictments in which that guilt will probably be tried; and whatever your opinion may be of the moral guilt of the prisoner at the bar, if you, upon a review of the evidence, shall not be of opinion that he has committed the precise offence charged in this indictment, whatever your feeling of his moral guilt may be, it will be your bounden duty upon this indictment to pronounce a verdict of not guilty. It therefore, Gentlemen, has become my duty to state to you the precise issues which you have to try. It is not merely a question of high treason, but it is a question of a particular species of treason. And although the indictment was very long, and contained a statement of a great many facts, which in the language of the law are called overt acts, you are to understand they are only set forth as evidences to prove that simple fact in which the treason consists. They are given to you, to induce you to be satisfied of that short statement of guilt of which the substantive treason subsists. The treason charged in this indictment, or rather the substantive treasons, are four. The first and third are upon a statute the 36th of the late king, for conspiring to depose his Majesty from his imperial style and dignity. I do not know whether I use the precise language of the act of parliament, but in substance it is conspiring to depose his Majesty. Second, for compassing and imagining the death of the king. Third, conspiring to *levy war*. Fourth, actual levying war. Two of these,—compassing the death of the king, and the actual levying war, are treasons by the statute of Ed. III. The other two—conspiring to levy war, and depose his Majesty, are made treason by the act of his late Majesty's reign.

Gentlemen, for now about four hundred years, there has been a statute which Englishmen have always held in veneration, as a protection of their dearest rights, I mean the statute of treason of Edward the Third. There, among other treasons, it is stated that, whoever shall compass and imagine—to use the language of the statute—that is, contrive or intend the death of the king, and by any overt or open act to shew he had such intention, such intention proved by some open deed, shall be considered as treason: and by that statute also actual levying of war against his Majesty is declared a treason. There have also at times, in subsequent unhappy or turbulent reigns, started up a variety of acts creative of new treasons, which have always withered away in the good times of our constitution. There is however one other act now existing, which makes not merely the compassing of the *death* of the king, treason, but the conspiring to depose him from his state and dignity, and the conspiring to levy war against his Majesty. These therefore are the four distinct questions you have to try.—First: Has the person at the bar compassed or imagined the death of the king? Secondly: Has he conspired to depose him from his imperial state and dignity? Thirdly: Has he conspired to levy war against the king? Or, fourthly: Has he actually levied war against the king? And on those points, or one of them, you must be satisfied in the affirmative, before you can find a verdict against the prisoner at the bar.

Gentlemen, before I come to comment upon the probability of the evidence, and the credit which you will give to it, I would beg leave to call your attention to the course which has been pursued by the learned counsel for the crown. The great mass of their evidence, if taken to be perfectly true, appears to me to go to this fact, namely, that there was a conspiracy to destroy his Majesty's ministers. And it seems to me, that my learned friend the Attorney General relies upon that fact, as sufficient evidence to prove one or other of these substantive treasons. It strikes me, however, on the contrary, that you may believe the whole of that statement, and still that it may not be evidence of any one of the substantive treasons charged in this indictment

It does not follow, as a matter of course, that the removing the administration of the king is to be followed by either the death or the deposition of the monarch. Let us go by steps. There is continually in parliament a party, I may venture to affirm, who think that the existing administration of the day is not a good one. When I say the administration of the day, I do not mean to apply that observation to the ministers of the present day exclusively, for I will do them the justice to say, that every administration that has preceded them have always found a party that have thought them a bad one; and every administration which shall follow them, will no doubt find a party to think them equally bad. It is clear however, that there is continually in the parliament itself a party endeavouring to remove the existing administration, and I will give them full credit for believing that it is from a belief that if they were removed, there would be another found whose services would be more beneficial to the country. It follows therefore that the mere removal of the administration of the day is not considered as necessarily involving either the death or the deposition of the monarch; and the persons so desiring will not necessarily be involved in the crime of High Treason. If the mere removal of the administration is not attended with those consequences, does it the more follow, because that removal is to be effected by force or with violence? Men who are desperate, if they cannot accomplish that which they desire by fair means, sometimes resort to foul means, (I do not mean for a moment to palliate the guilt of assassination) but I contend that you are not to take it as a necessary consequence, that the removal, nay the death or destruction of the whole administration, involves in itself necessarily either the death or the deposition of the king. If you should be of opinion, that the assassination of ministers, horrid as it is, does not necessarily involve that consequence, then, I contend, the evidence given upon this occasion does not support the two first substantive treasons laid in this indictment.

Gentlemen, there are two other treasons alleged in this indictment: the one is, conspiring to levy war against his Majesty in his realm, and the other is a charge of actually

levying war. Now look at the evidence and see whether you can draw from it that fair inference,—that it affords you satisfactory proof either that there was a conspiracy to levy war, or that the act done amounted to an actual levying of war. Gentlemen, in the detail which has been given of this transaction, more particularly the very long detail by the first witness who was called, of the name of Adams, and who in fact proved the whole case, my learned friend the Attorney General found there was so much ridicule in his statements, or rather so much to be ridiculed in the transaction he related, that he felt the observations necessarily arising upon that man's tale would throw discredit upon the whole of his testimony, particularly when coupled with the infamy of his character. To obviate this effect, he said, I am obliged to call an accomplice, and by the law an accomplice is a competent witness; and if an accomplice could not be called, there would be impunity for conspiracies and all secret crimes. I never meant to deny that position of law, as stated by the learned Attorney General, but I say the evidence of an accomplice always has been, and always must be, received with the greatest caution and jealousy; and if that caution and jealousy is to be applied in any case, it is more particularly to be applied in a case of high treason, where the law itself has thrown the strongest guard round the subject, and by positive enactment declared he shall never be found guilty but on the oaths of two credible witnesses.

Gentlemen, a very able writer, Baron Montesquieu, has said that where the laws of treason are undefined, there can be no liberty in that state: tyranny must of necessity be the result. And that observation is equally true, if where the laws of treason are well defined, juries do not most righteously and strenuously support that definition. You cannot do that if you suffer any feelings of moral guilt to work upon your minds, to pronounce a verdict because you may think men guilty of very enormous offences, unless you also think them guilty of that precise specific treason with which they are charged.

In treasons such as here charged, an accomplice, says the learned Attorney General, is a necessary witness. It may be

so, but though he is a necessary witness, he is not of necessity to be believed in all he says. The more atrocious the guilt in which he steeps himself, the less worthy is he of credit; and if a most atrocious and wicked witness were to come forward to tell you a tale, not only improbable, but ridiculous in itself, I think you would do most unwisely, indeed, if, upon such an absurd tale told by such a witness, you were to take away the life of man; nay, you would be hardly warranted in plucking a feather out of a sparrow's wing. I know it is no uncommon thing, Gentlemen, that those who lend themselves to crime betray their companions in guilt, but there is something so odious in all treachery, that he who betrays even associates in guilt is regarded with an additional degree of abhorrence, and the mind recoils from him as a being unworthy of any credit, as one, who to public crime, adds the last sacrifice of breach of private confidence. And you will invariably find that the man who becomes the informer is the most worthless of the whole band: for bad as his companions may be, still there is some principle of honor, some remains of social duty, which keep them true to each other; but the last dregs of honor and feeling are drained from the heart of that man who adds to their common crime the infamy of becoming the seducer and betrayer of his companions. Hence it is, that anxious to gratify his employers with important intelligence, all the design that he represents as originating from others, he himself is the man to seduce them into; and every one of his own base propositions he carries to his employers as the settled resolves of his companions. Gentlemen, though I am sorry to say I have not ample evidence, in this case, of the conduct of the spy and informer, yet I do not know that I shall not be able to prove in evidence to you, that the man who was the informer of government, instead of giving information of that which the other men had been doing, was himself the man to goad and incite the unhappy prisoner to every act of violence and outrage: that when he (the witness) made a wild proposition which was rejected, that proposition he carried to his employers, not as a rejected proposition of his own, but as an adopted measure of his comrades, and of which he was

merely the informant.—Gentlemen, " Let no such man's evidence be trusted."

Now Gentlemen, bearing these observations in your mind, consider the evidence as given by Adams to support the fact of a conspiracy to levy war: lay out of your consideration for the moment all that which relates solely to the assassination of his Majesty's ministers; and consider the evidence as given by him, in support of the substantive allegation of treason, that being a conspiracy to levy war against his Majesty in his realm. You have, to garnish the case lying before you, an affected display of rusty sabres, broken pistols, and a great many other things. You see the arms which lie before you, but recollect the purpose to which you are required to believe they were to be applied. Here is the whole arsenal of the conspirators: with this they were to do —what?—to overset a mighty empire. You have here all the preparations; all the materials of the war are before you: and now, Gentlemen, what is the statement of this man? As to the mode of operations to be pursued by these formidable conspirators, he says, that he attended various meetings from the 4th of February, I think, once and twice a day down to the 23d of that month, (one or two meetings more or less will not be material,) in which was frequently debated the assassination of his Majesty's ministers, and the destruction of the goverment. I was led to make the same enquiry upon the cross examination, which was made, it appears, by one of their own body, (Palin,) and who seemed to me to speak with some degree of sense. He is represented as saying to them, " you have many great objects in view, but where are the men to come from?"—At one and the same time, his Majesty's ministers were to be assassinated!—a detachment were to go and take possession of two cannon in Gray's-inn Lane!—another detachment were to take possession of six cannon in the Artillery Ground!—all the Out-ports were to be taken possession of!—Brighton was more particularly to be secured by a force!—the Mansion House was to be taken as the seat of Provisional Goverment!—And what is the force to do all this?—An army that counted, to the utmost expectation, was forty men!—an arsenal of a few old sabres,

pikes, and pistols!—an exchequer of six shillings and a reputed one-pound note! Who were the men to manage this machinery, with the exception of one? (Thistlewood) a parcel of mechanics of the lowest orders in society! These were the men, and these were the means, to "twist this rooted empire from its base." To depose a king living in the hearts, and guarded by millions of faithful subjects. To destroy a government protected by myriads of bayonets. To exhaust a treasury into which is flowing, not only the wealth of Britain, but the treasures of the East. This is a plan which you are required to believe was debated and adopted by men not declared lunatics. When an infamous witness tells you so incredible a story, can you or dare you take away the life of a man upon such testimony? If it were possible for you to do so, I should not hesitate to say, that I must believe your understandings as bewildered as is imputed to the prisoner at the bar and his associates.

Now, Gentlemen, as to the other point, that of actual levying of war. With respect to levying of war, it is clear that every resistance of the civil power, or of the military power of the crown is not a levying of war: what should be said to be a war or not I hardly know how to define. I had rather read it from the language of a very eminent writer: he says, that "it is a question of fact to be determined by a jury." Lord Hale, in his Pleas of the Crown, speaking of this particular treason, says, "What shall be said to be a levying of war is a question of fact; for it is not every riotous or unlawful assembly of many persons to do an unlawful act, though *de facto* they commit the act they intend that makes a levying of war, for then every riot would be treason, and all the acts against riotous and unlawful assemblies, as 13th Henry IV. cap. 7.—2d. Henry V. cap. 8.—8th Henry VI. cap. 14. and many more had been vain and needless, but it must be such an assembly as carries with it *speciem belli*, the appearance of war." Now, Gentlemen, did this assembly carry with it *speciem belli*, or the appearance of war. He goes on, "as if they ride or march *vexillis explicatis*," with unfurled banners, (is this marching to attack the king's troops with unfurled banners?) "or if they be formed into compa-

'nies or furnished with military officers,"—were these formed into companies, or furnished with military officers? The only military man among them appears to have been a disbanded soldier, and the only purpose to which he was to be applied was to be the destruction of his Majesty's ministers, which, I contend, was not a levying of war. Then he says, " or if they are armed with military weapons, as swords, guns, bills, halberds, pikes, and are so circumstanced that it may be reasonably concluded they are in a posture of war, which circumstances are so various, that it is hard to define them all particularly." Then Gentlemen, if it is hard to define all the circumstances of levying war, particularly being a matter of fact, can you infer it from your own good sound understanding, from the facts in evidence before you. If you had been told a war had been levied against his Majesty in this country, and the transactions in Cato Street had been narrated, would not you have treated the thing as absurd and ridiculous? Where is the war?—in a little back court! Where was the battle fought?—in a stable! Where were the traitors encamped?—in a hay-loft! How were the traitors armed?—with a few rusty swords, and broken implements of war.—Putting it, gentlemen, to your own common sense and understanding, can you upon your oaths say, that the prisoner at the bar is guilty of actually levying war against the king? You find that, in many of their meetings, these men who were levying war, as it is called, were afraid of the approach of the parish constables;—that at one meeting in particular Thistlewood looked towards the door, and spoke low when he spoke of the West End job, as dreading the presence of the civil officer: on which one more bold than himself said, " we do not care for the traps," that is, for the parish constables, not for the king's troops: so that it is evident that these men were kept in awe by the dread of the mere civil force of the country.

Gentlemen, if there is no levying of war, is there a conspiracy to effect that purpose? The only evidence you have of any such conspiracy comes out of the mouths of those three witnesses who are all implicated in guilt, and who I say are so far contaminated that they are not to be credited, be-

cause they all admit themselves guilty of a participation in a most horrid transaction, namely, a projected assassination of his Majesty's ministers; the only evidence that relates to levying war comes out of their mouths, and even as they give the transaction, it is very doubtful whether any thing can be raised that might be considered as evincing an intent of levying war against the king, except indeed the proclamation which one of the witnesses says Thistlewood had penned. Why, Gentlemen, if there had been such a proclamation existing; if it had been to be found any where but in the wicked imagination of that witness, do you think it would not have been produced?—Would not the spy of government have secured a copy to confirm his tale? But what proclamation is it? Mark the absurdity of this supposed proclamation! "Your tyrants are destroyed; the friends of liberty are called upon to come forward; the provisional government is now sitting.—James Ings, Secretary."—You are to take it upon the word of that man (Adams) that such a proclamation was framed. Do you suppose that Thistlewood is a man so absurd, that if he had entertained the designs they impute to him, he could have penned a proclamation of this sort? No, gentlemen, this witness some how or other thought it necessary to have a piece of evidence of that sort to support his absurd tale of consultations to levy war against the government; and this was the best piece of evidence that his stultified imagination could produce.—A provisional government!—Who was at the head of it?—Nobody! Who are the officers under it?—Nobody! How is it to be managed?—No one can tell! Where is the provisional government sitting?—You are left to find that out. All which the world is told is,—that Mr. Ings, the pork-butcher, is the secretary of the new provisional government. Gentlemen, common sense must guide you in your deliberations upon these things. You will not lay aside your knowledge of mankind, and believe a thing entirely because it is sworn, —still less will you believe it when it comes from such contaminated sources. You will apply your knowledge of life and human affairs, and if the thing be told you, nay if it be sworn by a credible witness, if it is above all

human credibility, you will spurn it with contempt, as a base design to impose upon your understandings, and mislead your better judgments. Does this absurd tale derive any additional credit from this ostentatious parade and display of rusty muskets, and broken sabres, and pike heads, and gunpowder. Why, notwithstanding this formidable material of war thus spread out to appal you, I will undertake to say, that there is not a populous alley in the city of London, that would not have furnished arms and men, that would have defeated the whole of this gang of Conspirators, at least the whole that we have heard of in evidence, and terminated this dreaded civil war in less than half an hour. Then can you seriously believe that it was intended by these men to levy war against His Majesty's Government—whatever their intentions might have been against His Majesty's ministers.

Gentlemen, the thing resolves itself, at last, into these few short points. You will consider first, even should you suppose it to be true, that the assassination of his Majesty's ministers was intended, whether that event of necessity implies that his Majesty was also to be deposed, or put to death? If you do not think it follows of necessity, (and there is not from the beginning to the end of this evidence a single word of it which points distinctly at the Royal Personage or his family, except I think that Thistlewood is stated once to have said, that the present family have reigned long enough; with the exception of this short piece of evidence, there is not one single word of evidence that has a hostile aspect to the Royal Family), whatever may be your feeling with respect to the projected assassination, if you think it does not necessarily involve the other point of the deposition of the King—however greatly you may abhor the men who could cherish so horrid a purpose in their minds, you ought not to find them guilty of Treason, upon those two first Counts, which charge their intent to be the death and deposition of the King. And if you think the story of the accomplice too ridiculous to be believed, or himself to infamous to merit credit at your hands, when he relates the supposed conspiracy, to levy war, you must also

find them not guilty upon the Count, which charges them with that substantive Treason. And if, with respect to the remaining charge of actually levying war itself, you think that too absurd to be entertained for a moment, then you must acquit them of that also.

Now, Gentlemen, I do not know that I can say more, and I will not waste your time, and my own strength, already sufficiently exhausted, by two long days close attendance, to the evidence of this unparalleled case, by using words unnecessarily; but let me intreat and implore you to do your duty strictly, according to the rigid rule of law: Consider what is the law of the land, and step not aside either to the right-hand or to the left; but mark only the issues and the Treasons you have to try. I implore you to do it, not only for your own sakes, but for the sake of our common Country; for, if ever juries suffer feelings of indignation to warp their opinions, and to induce them to find men guilty on charges which are not proved, because they feel or think them guilty of other charges, which are not before them, there will be no safety hereafter for the life of man. If this prisoner has been guilty of other offences, there are other indictments against him in which he must answer for those offences, and should the facts be there proved against him, the consequence will be, that he must suffer the penalty of his crime; but on this occasion do not find him guilty of High Treason, because you may think him worthy of death for another deed. No, not even though that deed may be a plan of murder and assassination.

Mr. Gurney. It is usual to state the sort of evidence which is intended to be called, that it may be seen whether it is receivable.

Lord Chief Justice Abbott. That is the usual practice certainly.

Mr. Curwood. Gentlemen, I meant to state that I should call a witness to shew the little credit due to these witnesses, who will state that a great many of the instruments and weapons now lying before you, were brought to the depot by Adams, the accomplice, who *is* called, and by Edwards, the accomplice, who is *not* called! That on the 23rd of

February they were fetched away by them, and afterwards brought back again by a boy from them, and placed where found. The inference I draw from this fact is, that it is confirmation of what I stated to you before, that these men who are now the accusers, were themselves the fabricators of the plot, and these arms, so placed by them, to confirm their intended testimony.

Evidence for the Prisoner.

Mary Barker sworn.

Examined by Mr. Adolphus.

Q. Are you a daughter of either of the prisoners at the bar?

A. Of Richard Tidd.

Q. Did you live with your father?

A. Yes.

Q. Do you remember at any time the police officers coming and finding any boxes and things there?

A. Yes.

Q. What day was that?

A. On the 24th of February.

Q. At what time in the morning did the officers come?

A. About half past eight I suppose.

Q. How long, at that time, had those things been in the house before the officers came?

A. About a quarter of an hour.

Q. What did they take away?

A. I am sure I cannot say—I was in such a situation I cannot speak to it.

Q, Was there a box?

A. Yes; there was.

Q. What was in it?

A. I cannot say.

Q. Did they take some things like these? *(pike staves.)*

A. Yes.

Q. How long had they been in the house?

A. They were brought there that morning.

Q. Do you know who it was that brought them?

A. No.

Q. Was it any person in your father's employ, or that you knew of, as being employed by him?

A. No.

Q. He had been taken into custody, we understand, the night before?

A. Yes.

Q. Had you seen him since he went out the night before?

A. No.

Q. Do you know a person of the name of Adams?

A. Yes.

Q. Had you seen him at any time before at your father's?

A. Yes.

Q. Do you know a person of the name of Edwards?

A. Yes.

Q. Had you seen him there?

A. Yes.

Q. Had Edwards been there before your father was taken up?

A. Yes.

Q. Had he been there seldom or often?

A. Often.

Q. If I understand you rightly, those things that were taken away by the officers, had not been in the house above half an hour, before they came and took them?

A. No.

Q. Had you seen them there before the day when the officers came?

A. Yes; I had seen similar things before.

Q. To the best observation you could make upon them, do you believe them to be the same things or different?

A. The same I think.

Q. Who had those things, which you say you think were the same, away?

A. Edwards took a part.

Q. Who the other part?

A. I do not know.

Q. When was it that Edwards took that part away?

A. On the Wednesday.

Q. You say some other person took the others away?

A. Yes.

Q. Did your father take any of them away?

A. No.

Q. Who took the other part away?

A. I do not know.

Q. What part did Edwards take, the box or the staves?

A. He did not take away any box.

Q. The box was not taken?

A. No.

Q. What was taken?

A. Some things that I have understood since were grenades, and likewise some powder.

Q. Was the box there all the time?

A. No; the box was brought a day or two before the time my father was taken.

Q. Do you know who brought that?

A. No.

Q. Was it brought in the state in which it afterwards remained?

A. Yes, it never was uncorded.

Q. You do not know who brought it?

A. No.

Q. You have talked of things called grenades, were there any larger than others?

A. There was one larger than the others.

Q. Who brought that?

A. Adams.

Q. What was Edwards, do you know?

A. No; I did not know at the time he used to come to my fathers; I have heard since he was a modeller.

Mr. Attorney General. I have nothing to ask you.

Edward Hucklcston sworn:

Examined by Mr. Curwood.

Q. Do you know a man of the name of Dwyer?

A. Yes.

Q. Have you seen him here to-day?

A. No, I have not, for I have not long come.

Q. How long have you known Dwyer?

A. For some years.

Q. Have you known him intimately?

A. I have known him intimately, by using the same public-house as he does, and a few friends.

Q. Do you know enough to say, whether he is fit to be believed upon his oath?

A. No; I do not think he is fit to be taken upon his oath.

Cross-examined by Mr. Attorney General.

Q. You have known him by meeting him at the public-house?

A. Yes, at the public-house where I have supped.

Q. That is your only knowledge of him?

A. I have seen him with a great deal of money, knowing that he seldom ever did any work; he was a bricklayer's labourer, and seeing him always hulking about, and with such a quantity of money, I wanted to know how he came by it; I said I was poor, and he asked whether I had not got any money, and he told me if I would go with him he would put me in possession of many a bright pound. I went with him to Hyde Park, and he told me to keep within hearing, and he would soon shew me how he could go on—that he would watch a gentleman out, and to catch hold of him, and that he would say he was an unnatural gentleman, and that then I was to come up as an officer, and draw him towards a watch-house, but not to take him to a watch-house; I was struck with the idea, and shunned his company.

Q. When was this?

A. About three months ago; and he has said he got seventy pounds at a time, by doing so, and he jawed me as being a coward: the next night I met with him, but I did not wish to have any thing to do with it; he said that he got £70 of one gentleman in Saint James's Street, by only catching hold of him by the collar.

Q. Where did you meet with him the next night?

A. At the Rodney's Head, in Chandler Street.

Q. You have met him frequently since at the public-house?

A. Yes; but I never would have no more goings with him, for I told him of the dangerous consequence, his brother was transported from this same place for the same offence; and he said aye his brother did not know how to general it as well as he did—his brother was transported with another young man for fourteen years, but he got away.

Q. When did you mention this to a magistrate?

A. Why, I ought to have done it; but I was afraid, because there were a great many Irishmen round our place, and I was afraid I should fall a victim to them, and I thought I had better keep out of his way, and not go into his company any more.

Q. But you were in his company afterwards?

A. No.

Q. Not at all?

A. No—only meeting him in the street, and asking him how he did, and then going away.

Q. You spoke to him?

A. Yes, just the time of the day, and so on.

Q. What are you?

A. I was brought up a shoemaker, but I am articled to a cow-doctor.

Q. Where do you live?

A. Number 15, Little Portland Street, Oxford Street.

Q. How long have you been apprentice to the cow-doctor?

A. Why, ever since last June.

Q. Who is the cow doctor?

A. Edward Skillet.

Q. Where does he live?

A. At No. 4, Newman Mews—he keeps that as an hospital for cows and horses.

Q. As you were afraid to mention this to a magistrate, when was it first you summoned up courage to communicate it to any person?

A. The first person I communicated it to was my brother.

Q. When was that?

A. About a week ago, when the list was in the paper, and I said that man I knew was a bad character, and with that they subpœnaed me here.

Q. You did not even communicate it to your brother till a week ago?

A. No; but there were a great many of them in company, and a great many that used that house, and I was afraid, as my bread depends upon going round to the cow-keepers, doctoring, that I should get ill-treated.

Q. So much afraid, that you would not even mention it to your own brother, till a week ago?

A. No.

Q. Are the same Irishmen living in the neighbourhood, as were at that time?

A. No, some of them are gone away, then I summoned up courage enough to mention it.

Q. They did not go away, I suppose, till about a week ago?

A. They have gone away lately.

Q. And that induced you to summon up courage to mention it to your brother?

A. Yes.

Q. How long ago is it that this communication was made by Dwyer to you?

A. I may say, about two months ago, I cannot say within a week or two.

Q. I thought you said three months?

A. It may be between two and three, I cannot say exact; I have other business to mind, instead of such business as that.

Q. You have other business to attend to?

A. To get my living.

Q. And this made so little impression upon you, you cannot say whether it was two or three months ago?

A. No, I did not pen it down.

Q. You did go with him to the park?

A. Yes; but when he told me, I was horror-struck, and got back—I thought the best way was to get back as soon as I could, lest my own character should be injured by it.

Q. Where does your brother live?

A. No. 2, Bulstrode Mews, Mary-le-bone Lane.

Re-examined by Mr. Adolphus.

Q. While the matter was a complaint of yourself, you mentioned it neither to magistrate nor your brother, nor any body else?

A. No.

Lord Chief Justice Abbott. I understood you to say, that he mentioned this matter to you first at the public-house?

A. Yes, he did.

Q Did you go with him that same day that he mentioned it, or another?

A. I went that same night with him up there.

Mr. Gurney. Do not leave the Court at present.

Joseph Doane sworn.

Examined by Mr. Adolphus.

Q. Have you any public employment or situation?

A. I am called Court Reporter.

Q. Do you prepare for the newspapers the accounts that are given of the movements and intended movements of the nobility?

A. Of the court.

Q. Do you prepare them for one paper in particular, or send them to all the papers?

A. To six papers.

Q. Is the New Times one of the six?

A. Yes.

Q. The Morning Post, Chronicle, and so on?

A. Yes.

Q. Do you send them to all the papers at the same time without partiality?

A. All alike.

Q. There is an announcement in that day's New Times, the 22d of February last, under the head of Court Intelligence—did you prepare that or how much of it?

A. As far as relates to the Royal Family, I did.

Q. What is the next article to that?

A. "The Earl of Harrowby gives a grand cabinet dinner to-morrow at his house, in Grosvenor Square."

Q. Did you prepare and send that?

A. I cannot speak to that at this great distance of time, but from the wording of it it is my impression that I did not.

Q. What is there in the wording of it that induces you to think you did not send it?

A. It says "grand."

Q. Did you ever put such a word into that announcement at all?

A. No; because I know that the cabinet dinners are always the same.

Q. There is no particular grandeur attributable to one as distinguished from another?

A. No.

Andrew Mitchell sworn.

Examined by Mr. Curwood.

Q. Have you the manuscript of this article, "The Earl of Harrowby gives a grand cabinet dinner," and so on?

A. Yes.

Q. Do you bring it from the New Times?

A. Yes, this is it. *(producing it.)*

Q. What are you?

A. I print for the New Times.

Q. Is that the original?

A. It is the original.

Mr. Curwood. Let Mr. Doane look at it.

Q. (*To Mr. Doane.*) Is that your hand-writing?

A. No, mine is done by a manifold.

Mr. Curwood. (*To Mitchell.*) How do you account for that?

A. This is the original manuscript we had; it did not come from Mr. Doane.

Q. Had you any other manuscript but that?

A. I do not know whether Mr. Doane might send a duplicate, but that is what we printed from.

Mr. Gurney. It is a series of fashionable annunciations —Mr. Honeywood is arrived, and so on.

Mr. Curwood. Mr. Doane, can you account for this?

A. No, I know nothing of it.

Mr. Curwood. (*To Mitchell.*) From whom did you receive it?

A. From a person of the name of Lavenue who is in the same way as Mr. Doane.

John Whitaker sworn.

Examined by Mr. Adolphus.

Q. Have you searched in the newspapers published on the 22d of February, for the article, "Lord Harrowby's dinner."—

A. Yes, I have.

Q How many?

A. Eleven. I will mention them—The Times—The British Press—

Lord Chief Justice Abbott. Was not Monday the day that was spoken to?

Mr. Gurney. No, my lord, Tuesday.

A. I searched from the 17th past that time all those days.

Mr. Adolphus. Was there any such announcement in any of them, as that the Earl of Harrowby was to give a grand dinner that day?

Mr. Attorney General. It is not worth while objecting to this, but the proper evidence will be the papers themselves.

Mr. Adolphus. Have you searched with a view to find this article?

A. I went to Peele's Coffee House for the purpose of seeing all the papers: the New Times alone had an account of the dinner to be given at Lord Harrowby's on the 23d, and that was in a paper on the 22d.

Mr. Gurney. We will call back Dwyer with your lordship's leave.

Thomas Dwyer called again.

Examined by Mr. Gurney.

Q. When you were here before, you were asked whether you knew any man of the name of Huckleston?

A. No, I do not.

Mr. Gurney. Let that man stand forward.—Do you know that man?

A. Yes, I have seen him, but I did not know his name was Huckleston.

Q. Where have you seen him?

A. I have seen him in Oxford Road.

Q. In a house, or in the street?

A. In the street.

Q. Have you seen him in any house?

A. Not that I know of.

Q. Did you ever propose to him to go out, and to charge a person with an unnatural crime, and to get money?

A. Never.

Q. Do you swear that solemnly?

A. I do.

Q. Did he ever go out with you to the Park on such a purpose?

A. No, never with me in his life.

Q. In January or February last, were you out of work—out of your regular work?

A. Yes, I was.

Q. Where did you go to work when you were out of your regular work?

A. I went to work at Mr. Elmore's.

Q. Before you were at work at Mr. Elmore's, did you work at the parish mill?

A. Yes, I did.

Q. A mill in your parish worked by men who come to claim assistance from the parish?

A. Yes.

Q. Did you receive money from the parish while you were so working at the mill?

A. I received 3s. a day while I was at the mill.

Q. How many days did you work at the mill?

A. Twice in different weeks.

Q. Have you a wife and family?

A. A wife and three children.

Cross-examined by Mr. Adolphus.

Upon your oath, when you were coming into that place this moment, did not you at the sight of this man say, "Oh, Huckleston!" before you got into that box? What I am asking you is before my learned friend put the question to you; did you not say directly you saw him, before any question had been put to you, "Oh, Huckleston?"

A. I did not.

Mr. Adolphus. I was told you had.

Mr. Gurney. I can vouch for it, that it was on my putting the question, he echoed my words.

Mr. Adolphus. You say that now you see his face, you know him?

A. Yes.

Q. What name did you know him by?

A. I did not know his name at all.

Q. How often have you seen him?

A. Very often. He resorted at the end of James Street, and I lived in Gee's Court. There were a parcel of chaps that used to resort about that place, but he was never an associate of mine.

Lord Chief Justice Abbott. James Street is near Gee's Court?

A. Yes, the next turning.

Mr. Adolphus. Did you ever see him but in the street, upon your oath?

A. I have seen him at several places.

Q. What places?

A. I have seen him in several parts of the street. I have seen him several times.

Q. That is any thing but an answer to my question. Have you ever seen him any where but in the street?

A. Yes, I have.

Q. Where?

A. I have seen him in Hyde Park.

Q. Where else?

A. No where else that I know of.

Q. In what public-house have you drank with him?

A. I never drank with him in a public-house. I used to resort to the Rodney's Head in Chandler Street, but I never knew him to resort there.

Q. Have you been in the habit of resorting there lately?

A. No; only when I can afford a pint of beer sometimes.

Q. That is the house you go to?

A. Not particularly.

Q. Why do you fix upon the Rodney's Head?

A. Because it is a place that my countrymen in general resort to.

Q. Were you in court when that man Huckleston was giving his evidence?

A. No, not that I know of.

Q. Where were you fetched from now? Were you out of court, or in court?

A. I was out of this court; I was in the witness's room.

Q. Then you did not hear him give his evidence?

A. No.

Q. Will you say, upon your oath, you have not repeatedly met him in a public-house?

A. I will.

Q. That you have not what?

A. That I have not repeatedly met him in a public-house.

Q. How many times do you call repeatedly?

A. I do not remember ever to have seen him in a public-house.

Q. Will you swear you have not seen him in a public-house?

A. I know I have not for some time.

Q. Then you have at some time?

A. I will not swear that I ever have.

Q. Will you swear you have not seen him in a public-house?

A. It is hard for me to do that.

Q. I think it is.—Will you swear you never saw him in a public-house, as you swear to having seen him in several streets?

A. I do not know how I can do that.

Q. Nor I.—I ask you, will you swear you have not seen him at the Rodney's Head?

A. Yes; I have not seen him in the Rodney's Head.

Q. That you never were with him at the Rodney's Head?

A. It must have been some length of time ago if I ever did such a thing.

Q. Will you swear you have not been with him there within these three months?

A. Yes, I will.

Q. Within four, will you?

A. I cannot say; I cannot recollect that.

Q. Was it before or after Christmas then?

A. I cannot say.

Q. Do you mean to swear it was since Christmas or before Christmas, or three or four months?

A. Since Christmas.

Q. Will you swear that before Christmas you were not with him at the Rodney's Head?

A. I do not recollect that I was.

Q. Will you swear you were not?

A. No, I cannot swear that, because I do not bring my recollection to being at the Rodney's Head with him at any time before Christmas, nor after neither.

Q. You will not swear you did not?

A. He may have been there and I not take notice of it.

It is a house that is quite full on Saturday and part of Sunday.

Q. You are quite positive you never walked with him from that house to any place?

A. I am positive.

Q. On what occasion did you see him there?

A. On a Sunday.

Q. What part of the day was it?

A. The forenoon, or it might be the afternoon, for aught I know.

Q. How came you to fix on having seen him in the Park?

A. He was a man I never associated with at all.

Q. How came you to fix on Hyde Park?

A. I might meet a thousand there.

Q. Therefore the more unlikely you should fix on any one; what made you fix upon him?

A. You *axed* me whether I saw him in any other place.

Q. And therefore you fixed immediately on Hyde Park?

A. No, I did not.

Q. Have you any particular reason for remembering having seen him in Hyde Park?

A. I have no particular reason, but seeing him the same as any other spectators that might be going through.

Q. Did you ever see him in Saint James's Park?

A. No.

Q. The Regent's Park?

A. No.

Q. But you did in Hyde Park?

A. Yes.

Q. How long ago was this?

A. I cannot tell you the time.

Q. I do not ask you as to the third or fourth of any particular month, but how long ago?

A. It might be before Christmas, or it might be after.

Q. It may be before the Flood, or it may be after?

Lord Chief Justice Abbott. It cannot be before the Flood.

Mr. Adolphus. Not in human possibility.

A. A thousand might pass by, and I take no notice of them.

Q. You saw him at some time or other in Hyde Park?

A. Yes.

Q. He is a man you do not associate with, and yet you remember seeing him there?

A. Yes.

Q. On what occasion was it you saw him there?

A. I do not know on what occasion.

Q. Nothing passed between you?

A. No.

Q. Was it in Winter or in summer?

A. I do not know; you say it must be either before or after Christmas, but I did not take notice of the time—it is impossible for me to tell the time.

Q. Was it in winter or summer?

A. It must have been the winter.

A Juryman. Are you a bricklayer, or a bricklayer's labourer?

A. A bricklayer by trade; the man I worked for, I have worked for twelve or thirteen years, Mr. Smith of Mortimer Street, Cavendish Square; I have worked twelve or fourteen years for him, 22, Mortimer Street, Cavendish Square, and Mr. Elmore and other gentlemen, in Piccadilly, and other places I could mention.

Mr. Adolphus. My Lord, I hardly know how to frame the request I am going to make to your Lordship, but there is one solemn duty I owe to the unhappy man at the bar—if it is consistent with your Lordship's duty to grant the request, I know I shall not ask it in vain, and if your Lordship refuses I shall willingly acquiesce—it is a request that I may now have till to-morrow to consider this important and multifarious case?

Lord Chief Justice Abbott. You wish to postpone your address to the Jury till to-morrow?

Mr. Adolphus. Yes, my Lord; I have no reason to ask it but from the total want of preparation in point of time.

Lord Chief Justice Abbott. It must be the anxious wish of the Court that every assistance that can be rendered to a person standing in the situation in which the unfortunate man at the bar now stands should be afforded; whe-

ther if we were to hear you now we should be able to go through the whole case to-night, may be somewhat doubtful; my great difficulty is as it respects the convenience of the gentlemen of the Jury, but we ought not to proceed with haste, where the life of an individual is concerned.

A Juryman. (Mr. Aldersey.) We are of opinion that our convenience is not to be considered at all in comparison with what may be the issue of this trial.

Lord Chief Justice Abbott. Your expression is that exactly which I should expect from you. In an ordinary case we have not yet arrived at the time at which we ought to adjourn, but in the very peculiar case before us, and adverting to the fact mentioned by the counsel for the defendant, of the truth of which I cannot doubt, that it was not until a very late hour before this trial came on, that they received their instructions, perhaps the administration of justice may be better consulted, by allowing, at the request of Mr. Adolphus, that he may have time to consider his client's case.

Mr. Aldersey. My Lord, it is the wish of some of my co-jurors to have it ascertained whether Dwyer, whose credibility has been called in question, can be proved in any way to have mentioned to Major James, and the Secretary of State, what he states himself to have mentioned, how far he is or is not borne out in that.

Lord Chief Justice Abbott. The Attorney General will have an opportunity of considering that.

Mr. Gurney. It is open to the prisoner to give any contradiction.

Lord Chief Justice Abbott. Certainly, the prisoner may contradict that.

Mr. Goodchild. Dwyer's evidence has been endeavoured to be shaken, and we wished to see whether there was any thing to corroborate him.

Lord Chief Justice Abbott. Perhaps we had better forbear mentioning that subject; there will be an opportunity for all parties to observe on it, and for you, gentlemen, ultimately to decide.

Adjourned to to-morrow morning nine o'clock.

SESSIONS HOUSE, OLD BAILEY,

Wednesday, 19th April, 1820.

Arthur Thistlewood was set to the bar.

Thistlewood. My Lord, I should be glad of the indulgence this morning which you were so kind as to allow me yesterday?

Lord Chief Justice Abbott. Yes, certainly.

Mr. Attorney General. In consequence of the wish expressed by the Jury last night, that Major James should be examined as a witness, I have procured the attendance of that gentleman in court, and he is now here. Your Lordships know it is impossible for me on the part of the Crown to call him as a witness, his name not being in the list; but he is here ready to be examined, if the Defendant's Counsel wish it.

Mr. Adolphus. It is certainly no part of my case to call a witness who is in the knowledge of the Crown, and is not named in their list. I cannot examine a witness unless I am apprised of his knowing something of importance; I therefore feel that though the Attorney General does not mean to put me into an awkward situation, yet, as Lord Ellenborough said, if you take a witness in that way you must abide by his evidence, which I do not think I should act right in doing upon this occasion.

Lord Chief Justice Abbott. It cannot be expected, under these terms, that you should call the witness: whether he ought to be called on either side is another matter.

Mr. Attorney General. Neither my learned friend, nor the Defendant, can think that I mean to place my learned friend in an unpleasant situation.

Mr ADOLPHUS.

May it please your Lordship.

Gentlemen of the Jury.

I have to request your attention to the humble effort it is my duty to make on behalf of the unhappy man at the bar, and I cannot do so without first expressing my thanks to his Lordship and you, for the kind manner in which you acceded to my request, to allow me time to make such preparation as was necessary. To be sure, in all cases the situation in which I am is distressing enough, but that distress would have been infinitely aggravated, if I had had to address you with a body fatigued, and a mind jaded by the mass of matter laid before you—with thoughts necessarily wandering to the different parts of the case,—and without time to arrange and simplify, even in the moderate degree I have in the few hours stolen from sleep, those thoughts which it will be my duty to lay before you.

Gentlemen, it has been said that this is an anxious and important enquiry; truly, if ever there was an occasion in which the mind of counsel for a prisoner might sink almost into abjectness, it is furnished by the case now before you and the situation I stand in. The Prisoner is of all the men I remember tried before a Jury for the crime of High Treason, the most unhappy, and I may say, without meaning to alter the case of guilt, if guilt shall appear against him, the most unfortunate. I have known many trials in the course of my life on these subjects, but never saw one where a prisoner was so absolutely denuded of all countenance and support—so much thrown on the mercy and charity of those who would undertake his case, as the Prisoner on the present occasion. To say that the Prisoner has against him all the weight of office, the force of talent, and the influence of renown, is to say nothing but that he is indicted for High Treason at the suit of the crown; for the crown upon such, and upon every other case, has a right to the best services of its best servants, and it would be most unjust to complain of that which

is merely incidental, and justly and properly so, to the situation in which he stands. But, gentlemen, upon former occasions I have seen advocates of the highest celebrity, of the most established reputation, entering voluntarily into the cause of a prisoner; taking it for a long time beforehand, and methodizing and digesting every thing to be done; they have come to the combat prepared, in a considerable degree, to meet the talents, and to grapple with the case against which they were to be opposed.

Far different is the situation of this unhappy man, who, on the very eve of his trial, and then alone, obtained the feeble assistance I can give him. I never heard of his case till Thursday last; I was out of town on Friday, I had not my instructions till Saturday night, and I had to appear before you on Monday. I do not complain of this, but I deplore it—it is an unhappiness to which his deplorable case has subjected him, and the want of preparation and ability in me may prejudice him. Other prisoners in the same situation have been allied by party, connexion, or other means, with some considerable number of men of influence, weight, and reputation in the state. This poor man with his associates are deserted by every one; no voice is raised in their favor, no effort is made on their behalf; none has been attempted with my knowledge. I have not had the advice or assistance of any individual upon earth, save the Solicitor, who has gratuitously undertaken his case; and so far from receiving any information to enable me to avoid difficulties, my information has been all comprized in the slight instructions this gentleman has collected, and with that I appear before you.

But, Gentlemen, there is another circumstance which presses on the Prisoner more heavily still. In all the trials I remember on cases of this kind, and particularly the last I remember in this Court, the trials in 1794 and 1795, every prisoner who obtained his discharge from the accusation was set at liberty, and the enquiry ended with the question which was submitted to the Jury. This man is so unhappily beset by the circumstances of his case, that if at your hands he receives an acquittal on this indict-

ment, other indictments still await him;—an indictment for murder, an indictment for shooting under Lord Ellenborough's Act; and, in short, he is surrounded by all the perils that can involve any individual: indeed, it seems he is reduced to this melancholy choice, whether the office of the executioner shall end with the execution, or whether after, that his body shall be hacked to pieces, and disposed of at the mercy of the Crown, or be subjected to the knife of the surgeon.

Gentlemen, if he is guilty, and I must presume there is ground for supposing he may be so, by the bills of indictment being found, he has no right to complain that the law is too hard, he must ascribe his desperate situation to his own fault; but in the first place, I implore a total exclusion from your mind of every thought arising out of other charges, or other circumstances, that can affect you in the decision of this case; and I entreat that you will consider him as if he were like any other prisoner on trial, totally discharged from other imputations, and subjected only to the enquiry which brings you together to-day. It is difficult I know, but I expect it from your conscience and your justice; the Attorney General made the same request of you, it becomes his rank in life, and in the profession to do so; it becomes his character as a man, a Christian and a Briton, to make that request, because it is not in his office, or his disposition, to run down as criminal any of the subjects of the Crown, but to hold them up fairly to their country answerable for their crimes, or entitled to acquittal, as they are guilty or not guilty, still there remains this behind—a matter that has been disclosed to the public for a long time, which has been talked of with unreserved reprobation and detestation, from every mouth, is not so easily dismissed from the most correct minds, but that some taint of prejudice may still remain, some opinion, some unconscious whispering in a man's ear, from the internal suggestion, that this is the man about whom so much has been said, and it cannot be said without his being guilty of something; in short, the opinions of private life steal into our breast and

minds; and it becomes me, therefore, most earnestly to implore you to resist every such suggestion, to refuse your ear to every such insinuation, and to view this case, as I am sure you are disposed to view it—to make a great effort so to view it. I mean as if you had never heard the name of this man before, and as if you knew nothing of him, but that which has been disclosed in this cause, and on which you must decide and give your verdict.

Gentlemen, I have observed to you, that this is a case of infinite importance. I say of infinite importance;—to the prisoner—my learned friend the Attorney General has put it because his life is at stake, but under his particular circumstances of less importance in that view than ever a trial for High Treason was to a man. But it is important to the State, to the present generation, and to their posterity, that this case should be decided, not on impressions against an individual, but on the fair results of the evidence offered, and upon a fair examination of the parts of that evidence according to the most severe test, by which evidence can be tried. It is of importance to posterity; for assuming this prisoner to be a bad man, if as against a bad man certain evidence can be received, and can find its way into the minds of juries, so as to procure a conviction, no man knows against whom the same sort of evidence will not be next produced—no man knows whose life may not be sacrificed—no man knows whose fame may not be destroyed, and his property taken away by evidence which ought never to have had the credit of a Jury, or perhaps the sanction of any court. This is the important point, on which it behoves us to be particularly circumspect, when a bad man is before us. Such attempts are never made at first against those who have good characters, great friends, or the means of defending themselves, they are made on the poor and abject, and then as a precedent, it goes elsewhere to destroy others. This leads me to caution you; for it is not the value of this man's life, (though God forbid I should undervalue human life), that stands upon this case, it is the value of the life of others, and the safety of their posterity; it is the value of a precedent in a case of High Treason, which is of more importance than

any other case, it is of more importance for this reason, from the time that the kingly government began to be established on defined principles in this country, and to be curbed by regulations for the benefit of the subject, the law of treason has been guarded with particular vigilance by the legislature, and by the execution of that law with commendable anxiety by every Jury who has sat on it; there never was any law so free from doubt or contradiction; there never were a set of records (taken all together and subject to exceptions only from the badness of certain times), so perfectly accordant; there never was a subject upon which so much vigilance, correct judgment, and care on the part of juries, have been exerted, as on that of Treason. In truth, it is an awful case to discuss; in other cases the King is the prosecutor for the benefit of the public; but here the King in person, by his own officers, is arrayed against the subject; and it is therefore upon a jealous vigilance, lest the power and influence of the Crown—lest the natural love in every good subject, and his zeal and desire to preserve untouched, the safety and the right prerogative of the Crown should be brought into play, to work oppression upon any individual so charged and inculpated; therefore, I say, this case is of peculiar importance, as all other trials for treason have been. It is necessary to observe a most steady and exact attention, and not to suffer prejudice to sway your minds, to receive one tittle of evidence that would not be admitted on every other occasion, and rather to lean to the side of the accused, if it comes to be a doubtful or measuring cast in your mind, than lean to the side of the prosecution, however you may be interested for the preservation of the throne, and for the prevention of all those attempts by which its authority may be impaired.

Gentlemen, I have already stated to you, that this task of defending these prisoners has come to me as a forced duty in my profession; I have not sought it, I have not avoided it. I think that in a case like this, when an advocate is called on to exercise such talents as he has in the way of humanity towards unhappy persons like these, and I take it not on my own authority alone, but refer to that of

others, I think it is his duty not to refuse the assistance required: I do not know that it is necessary, or always decent or right for advocates to press their own personal opinions or politics into a case; but as I am going into an investigation of some length, it is fit I should say, that in the course of my life, I never have been in thought or act, assenting to any of those principles or combinations, by which the established constitution in church and state could be brought into danger. I was born a subject of the late king, I lived contented with my fortune under him, I am a faithful subject of his successor, I do not see the necessity of these agitations, and have never lent myself to any of them, whether I had or not in another case, would not be of the smallest importance; but standing here as the voluntary advocate of these prisoners, it may be right to state, what I am not extolling in myself, but describing myself correctly, that it may not be supposed that party feeling leads to any one thing I am to say on the present occasion, but that it is in the performance of my duty only. But while I say that I feel that independently of the denial of any such political principles, I have a high principle to advance as a man and an advocate; and if there are one or two, which is the most I can suppose, who interest themselves for this unhappy man, I trust it will appear to them that no prejudice against his measures will relax my efforts, or cause me to neglect my duty in the smallest degree, he shall have a fair and legal defence—that it will be defective in ability, is his misfortune, in the present case, mine permanently, and through my life.

Gentlemen, the line of defence which I shall have to pursue on behalf of this unhappy man, is one more difficult than ever I knew to fall to the lot of an advocate; and I think I should be trifling with your good sense, be deficient in the respect you must have obtained from every one in Court, for the last two days for your attention, if I could suppose that it is in the power of man to make it appear that the prisoner at the bar is guiltless of all manner of crime, to have meditated assassination, under any circumstances; to have caused, or been privy to causing, the death of an individual, coming to execute his duty; these are crimes which admit of

of no palliation; they are crimes from which the blood recoils and the judgment revolts; they are crimes that would make it absurd to say, the individual tainted with them can be held up to you as innocent, but feeling a horror and detestation of such crimes. I deprecate the application of those feelings to the criminal, until he is justly tainted with the crimes which excite them, our horror of crime must never extend to the party accused; every man must be reputed innocent till he is found guilty. I am only anxious, and am desirous you will take it with you, that you will not come to this conclusion, "because I believe a man in heart an assassin, and in act a murderer, I will pronounce him a traitor, and one that meditated the dethroning of the King, the subversion of his government, and the levying war against him;" these are the charges against the prisoner, and unless they are proved by evidence, which weighs beyond a doubt in your minds, if they are not so proved that you can be as much satisfied as upon any point which is the subject of charge and of proof, then I say upon this Indictment, the prisoner is entitled to an acquittal, and in acquitting him you do honour to yourselves, and render an essential service to all posterity. Do not believe I want improperly to influence your minds, for I say without hesitation, let it operate against my client, as it may, that if, in your opinion, the evidence be the contrary way, you would disgrace yourselves and injure the cause of posterity, if you refused to act upon it; but I must beg you will not suffer any thing but evidence to influence your minds in any degree; but attend to that and that alone, and give the prisoner all the benefit of an accurate sifting of it.

Gentlemen, I had thought to make some observations on the law, but I think with the Attorney General, that the law is so clear, that it wants little elucidation, and perhaps none but what will be safely trusted with, and will clearly, and with the best authority, come from the Court; but the Indictment has been read to you, and as well as its length would permit, you have attended to it, and gone through the different charges. It is necessary that I should state to you, that there are four, what are called overt acts.

Mr. Attorney General. Four substantive charges.

Mr. Adolphus. I meant so. There are four counts: there are to each of the first three counts ten or eleven overt acts, all of which must be viewed by you as having relation to and tending to prove the original conception in the prisoner's mind. For example, it is said in the first count, that he conspired with others to depose the king from the style, honor, and kingly name of the imperial crown of this realm. Now, in support of that there are eleven overt acts stated: for example,—that he did conspire with others to compose and prepare, and cause to be composed and prepared, with intent to publish the same, divers proclamations; and that he did various other acts in furtherance of this original intention of his: but you must be persuaded of one of the four original intentions, for without that, if all the overt acts could be proved over and over again, you cannot infer that such an intention must have existed, you must be satisfied that the intention previously existed, and that the acts were done in furtherance of that; if you should be convinced and satisfied that the prisoner at the bar did intend with a certain force to go to the house of the Earl of Harrowby, to murder the Earl of Harrowby and all the other ministers assembled at dinner with him, that does not amount by itself to High Treason, nor are you, unless convinced of it by the evidence, to infer that the former treasonable intent must have existed. It is not what you will suppose he meant to do, it is necessary that you should be convinced that the treasonable intent had been predetermined, and was existing in the mind, or else the overt acts prove nothing in an indictment for High Treason, because they are separated and isolated facts, capable of punishment in another way. To kill a privy counsellor is not by itself High Treason; it is mere felony by the statute of Henry VII, and under other circumstances to assault them with intent to kill them is made felony by the statute of Anne; but to kill them is no where declared High Treason, unless coupled with other intentions, and as an overt act tending to demonstrate such an intention existing in the mind.

Now, Gentlemen, I think it extremely necessary to put that point to you, because nothing is more difficult where

men are unpractised in the separation of the different parts of law pleadings, than to bring their minds to the main subject, and to discern what are the circumstances which alone are to help them in the consideration of the case: and, Gentlemen, when I say this, I say it with the utmost confidence, that you have all the knowledge and understanding that are to be expected in your situation, and that could be found in a jury of the country: but, Gentlemen, the law is an art having its own technicalities, which God knows those who have been many years devoted to it do not always understand, but which those who have not been so devoted must have explained to them, before they can exercise their talents on the consideration of the case. Gentlemen, with that caution and with that observation I leave the law upon this subject, premising that you must be satisfied of one of four things, either that the prisoner at the bar with others " did intend to deprive and depose the king of and from the style, honor, and kingly name of the imperial crown of this realm," or that he did intend to " excite insurrection, rebellion, and war against the king," or as it is stated in the third count, that he did " compass, imagine, invent, devise, and intend to levy war against the king," or as it is stated in the fourth count, " that he did levy war against the king." Now, Gentlemen, I do contend that there never was evidence tendered to make out so great a charge which had less application to that charge than the evidence submitted to you; and it will be my duty to go through some parts of the evidence, to examine it by degrees and with care, and I shall endeavour to impress on your minds the difficulties in bringing the evidence to bear on the particular subjects, how weak and defective it is, how incredible, let it be related by whom it may, unless well supported, and how particularly incredible coming out of the mouths that it does,—mouths from which the life of man ought not to receive danger, and to which sufficient credit ought not to be given to put the meanest subject and in other respects the most guilty, into one moment's jeopardy of his life or liberty.

Gentlemen, in proposing to call to you an accomplice as a witness, the learned Attorney General made some observa-

tions upon the credit to be given to an accomplice, and upon the manner in which that accomplice must be supported in his testimony. This I think will be quite clear to you, that the whole case of the crown as it is to taint or affect the prisoner with High Treason, rests entirely upon an accomplice; for if you can dismiss from your minds the evidence of Adams, there is not a shadow of proof of High Treason; —there is not that which could convict him of any such crime, loosely and indefinitely as the other evidence has been pointed in support of the facts, or the presumed facts, deposed to by the first witness. Gentlemen, I am quite sure that, in the time you have had during this long trial, you have passed Adams's evidence in your minds, it must be the result of that consideration to your understandings, that if Adams is not believed, there is no case against the prisoner, and I think it cannot have escaped some of your observation, that if Adams is believed, there is hardly a man who can present himself in a court of justice who has not a right to claim and demand belief. If a man under such circumstances, telling an incredible story, can be believed, without support from other witnesses to set him up, then there is no witness who can be rejected because his testimony is incredible.

Gentlemen, it has been said on the trial, and said so too by the Attorney General, (take it with as much qualification as is necessary on such a subject) that an accomplice is not to be supported in every point; for if he were there would be no necessity for calling in his testimony, the witnesses could prove the case without him, and the accomplice would be useless. I give the sense of the observation in an inferior mode of expression. That is true, as far as the necessity and nature of the case supposes it to be true. It is true that on some occasions such confirmation as will support the credibility of a witness as to loose collateral circumstances may be taken: but, Gentlemen, if it may be taken, it must be taken I should say when all the support possible is given him—when no one is kept back that could support him—when nothing is omitted that might be done—and when care is taken to give him all possible credit, by shewing that they who produce him are not afraid of

confronting him with others, for fear discord among them should produce disbelief. I say more that those who expect to avail themselves of the evidence of an accomplice, are bound to give him all possible support, and subject him to all contradiction: he is a self-confessing guilty man; he is not entitled to confidence: and he puts himself on his trial by pointing out those who can support him. Those others are a sacred gage and pledge to his truth; or, they are like a subscribing witness to an instrument in writing, given for the benefit of all parties interested.

Gentlemen, this point has been anxiously considered before, and I am going to read an observation of an eminent lawyer on the subject. I do not name him for reasons which will occur to some who are present; but he expresses this matter so much better than I can, that I will put it to you as to the confirmation of accomplices—as a matter beyond all doubt for its clearness, ability, and justness. It was said on the occasion of a trial of a man for High Treason at no very distant period, and I subscribe to it entirely: observations more philosophical and just could not be made as applicable to the human mind. Said that learned gentleman, "But it is said that he the witness is confirmed, and because he is confirmed in some facts you are therefore to believe him in the rest.—This is a position which lawyers are in the habit of stating in a very unqualified manner; but, it is not a position which can be maintained to this extent, according to any principle of common sense: there is no man who tells a long and complicated story who may and must not of necessity be confirmed in many parts of it. The witness was a long time in giving his evidence, and of course stated many facts which no man denies. It is the case before you, Gentlemen, which has been in all the newspapers for weeks and for months past; and, because he is confirmed in certain particulars, you are therefore required to believe the whole of his story to be true. Is this a proposition to be insisted upon? Can it for a moment be maintained to this extent, and in this broad and unqualified way? But, Gentlemen, every profession and science has its phrases; the necessary qualifications are by degrees lost

sight of, and the worst errors are thus introduced. Let us then look at the mischief of this doctrine, and see the evils and injustice that have arisen out of it:—The notorious Titus Oates, the witness for the crown, in the trials founded upon the popish plot in the reign of Charles II.—that most infamous and perjured wretch, who was afterwards convicted of perjury for his evidence upon those trials, and suffered the punishment of the law for his crime, was confirmed in his testimony in many most important particulars. Unfortunately the juries, misled in those times of heat and party animosity, were prevailed upon to believe him, and many unhappy persons suffered in consequence the extreme punishment of the law, and murders were committed under the forms of justice, in consequence of the reliance placed upon the frail and fallacious testimony of a man of that description. You perceive then, Gentlemen, the danger of this doctrine; and that it is not because a man is confirmed in certain circumstances that you can safely believe him as to other facts where that confirmation is wanting What is the character of falsehood? Who has lived in the world, and at all examined the operations of the human heart and mind, who does not know that this is the usual and proper character of falsehood, that it does not wholly invent. Falsehood engrafts itself upon truth, and by that artifice misleads and deceives; truth is exaggerated; things that exist are disclosed or distorted:—these are the usual operations of falsehood—this is a part of its nature, its address, and dexterity. It arises therefore out of the very nature of perjury, that it must be confirmed to a certain extent." On the present trial, Gentlemen, I say, that if I had desired the best of my friends to assist my feeble powers, and enlarge my humble understanding by infusing into them just principles applicable to the consideration of this case, no friend that I have or ever had could have given me sentences so apposite—sentences that can be relied on for their accuracy of expression and justice of conception, so much as these. If you can retain them in your minds from the imperfect manner in which I have read them to you, for God's sake do, and let them be a shield for this man, against the attack made on him by a witness to whose

testimony I say (not merely because it is my duty, but because it is my conviction) not one moment's credit ought to be given, nor one tittle of faith added, except in those particulars where he is explicitly confirmed. He may receive confirmation in many particulars, where the common voice of common fame, where every thing has been communicated to the public, and has given him the means of being so assured of some confirmation so as to leave him free from hesitation in advancing those things, and to enable him to add whatever else he pleased, according to his original intention when he formed acquaintance with the unhappy man at the bar, or according to those suggestions, inspired in him by others whom he acted under.

Gentlemen, before I enter into a closer examination of the evidence, it is necessary to give an outline of the defence of the prisoner, to which I mean to apply my observations. I may not meet all the expectations of the prisoner, in the concessions I am going to make; but standing here to perform a duty, I can only perform it as my own heart and judgment dictate, but I shall state correctly, the view in which the defence strikes me, and you will see whether it supports a more rational story, or whether the incredible evidence you have heard, forces you to believe the story told in spite of all the contradictions and absurdities which it contains, and to which it has been exposed. I say, I have no doubt, that the prisoner at the bar, and the party who were to move with him on the night of the 23d February, intended to murder all his Majesty's ministers, at the house of Lord Harrowby, in Grosvenor Square, to entertain a doubt on that, would be, as if, at this moment, looking on the smiling face of heaven, I were to endeavour to convince you that there is no such scene, and that there are no such things as the sun, light, or heat. I am not to deny, that that party being interrupted in the progress of that crime, a man, of the name of Smithers, from some hand or other, met his death and was murdered—when I use the mitigated expression, first, I mean it as not being satisfactorily proved, at least it will be for you to consider hereafter or another Jury, or whether it is proved that the prisoner committed it, or whether, under all the circumstances, it was murder; but

taking it on the narrative, as it stands now communicated here by two police officers, I would say, Smithers met his death there and was murdered; making, however, these concessions, and admitting the facts are as bad as an advocate can concede, I do contend, this case does not amount to High Treason: and that the charge against him of that crime, stands untouched, and incapable of receiving light in the investigation, from the evidence offered by the Crown. I admit the prisoner had a view to the extent I have described in the first part of my address, namely, that from personal motives he was disposed to kill some of his Majesty's ministers, and had no objection to consent to kill all the rest; so far I admit, but this will be evident to you, in the whole course of this transaction, that during the whole meditation of this crime, he was beset by a spy, and accompanied by an informer; and it is upon their evidence or their disclosure, that you are to be asked to convict him of High Treason, that is, that the machinations of the spy, inciting him to crimes he was disposed to commit, is this day to be exhibited to you in a blended form by the informer, and the facts which prove that he concurred in one mode of crime, are to be used to convince you that he meditated another which never entered his heart, and of which there is not any evidence upon which a jury can rely, to pronounce a verdict of guilty. And, Gentlemen, again and again (I am afraid of of being tedious, I but cannot repeat it too often), I say, the concessions I have made ought not to affect the prisoner, on the present trial, let him receive judgment upon them in other cases when they come before a jury, but at present the charge of High Treason is unsupported by the fact of murder intended or committed, it must be an intention to do one of the four things charged in this indictment, or it comes to nothing.

Gentlemen, I have already stated to you, that if the evidence of Adams does not convict the prisoner, there is nothing to convict him: I say, if his evidence does not, because if his evidence was put out of the question, and the other witnesses stated, that which they have stated, it would amount to little or nothing; Adams's evidence is received,

and they are taken to support his evidence, and set it up as a whole, then the case may, in some sort, be taken to be proved against the prisoner; but if the evidence given by Adams, is utterly unworthy of belief, then the separated parts proved by other witnesses will not, in themselves, jointly or severally amount to a charge of High Treason against the prisoner, or make out that charge, so that a verdict of guilty ought to pass upon him; and with this it will be necessary to direct your attention to three particular points.

It is conceded by the Attorney General, that an accomplice ought to be confirmed, I have taken the liberty to state my opinion, and that of one other person, to what extent that ought to go; and I shall beg you to examine in the first place, how far is Adams confirmed in the particular propositions relating to High Treason, which he has advanced. In the next place, it will be your duty (you know your duty, but I mean merely, that I suggest it as a thing that must be conceded by yourselves to be your duty), to consider how much he is contradicted, and whether he is in any way contradicted; and whether he is in any way contradicted by his own evidence, or the evidence of those who are called to support him; and lastly, it will be of importance to you to consider how he might have been confirmed, if there had not been a good reason to withhold that confirmation. This is a most particular and important feature in the case, and to which I shall have, in its turn, most seriously to crave and direct your attention.

Gentlemen, Robert Adams, is introduced to you as the first witness in this cause, and he states to you that he is a shoemaker, and that (which he ought not to have stated without more feeling than he seemed to have), he once had the honor of serving his Majesty, as a soldier, in the regiment of Blues —that such a man should be found in the situation that he describes, and that he should have gone in it to the extent he has without finding it necessary to repent, or to feel any compunctious visitings till the plot had failed for four days, is a circumstance neither creditable to his feelings as a subject, nor to his courage as a soldier; but, however, these are the circumstances in which he presents himself; he states to

you that Brunt, one of the parties indicted here, had been an acquaintance of his of three years standing; that he made that acquaintance at Cambray, when he was working for the British army, in his trade of a shoemaker; and when Brunt was there, merely as a follower of the army, then their acquaintance began, and was continued without any circumstances of particularity till they come together again, in the month, I think, of January last—and then the witness was introduced by Brunt, to the prisoner Thistlewood, and, perhaps, the most extraordinary thing took place that ever was heard of out of this cause; but it seems to have been the fashion in this cause, that the conspirator, at the head of the conspiracy, begins without reserve, and tells every one on the first meeting, what the nature and scope of his conspiracy is, that is, I am a man so determined on evil, and so careless of life and liberty, that I put myself into your hands; and if you have one grain of honesty you will report, and loyally inform, against me. I condemn myself by my own words, and cannot blame you. That is stated of a man of Thistlewood's age, who has had experience in matters of this kind. Adams, says Brunt and Thistlewood, went plump into the matter; and let us see what they say, and what they put to this man; there is a complaint of the times, and we are to infer from the whole of the conversation, not from separated expressions here and there, what may have been the views of those who meditated to murder ministers, suppose they thought they would arm themselves to make a good scene of plunder; that enhances their guilt, but it does not make them guilty of High Treason. Brunt introduced him, by saying "this is the man I was speaking to you about;" then there was some talk about the witness being in the Life-guards, and a good swordsman; Thistlewood said, "there was no person who was worth ten pound, who was worth any thing for the good of his country;" the simple possession of ten pounds was wealth enough to corrupt them. "The shopkeepers of London were a set of aristocrats altogether, and all working under one system of government," and then follows the first declaration of his wish—a declaration towards them, if any part of this man's

evidence is to be believed, he should glory to see the day when all the shops should be shut up, and well plundered. This is as unlike deposing the king as any thing can be, but it does, if the evidence is to be believed in, consort with the rest of the evidence, and with another part of it, that of providing the miserable resource of arms, they had a resource very useful for the plunder of shops, but absurd for the purpose of overturning a state, or of ruling a country or the possession of a country; sufficient for the purpose pointed at, but quite insufficient for any other purpose. Gentlemen, if there were ever in the prisoner's mind, an intention to shut the shops and plunder them, I lament that such a man could be found, but I am not here to pass sentence upon his morals, nor are you, but to examine whether he is guilty of the charge of intending to overturn the government; and unless you can be led to infer that murdering men we hate, and plundering shops is levying war against the king, and intending to overturn the government, there is nothing in this charge, whatever there may be in any other, which it may be thought fit to bring.

But let us see if the witness is to be believed in any part; is there any thing that encourages the supposition that this was not all, but that there really was something ulterior? Why, you cannot have forgotten that at one meeting it was said, they declared they were so poor they could not wait any longer than next Wednesday. If poverty was the cause of their moving in one way or another, poverty had no allurement to excite them to action on that more than on any other day, because the day most convenient to overturn a government is the day when it must be overturned; but the day to plunder shops is when they who undertake it cannot find a day's meals but by robbery, and when they must do it or starve; and therefore that gives countenance to the probability, that some of the party had that design: whether they had or not I do not know, but there is some evidence pointing to it, and if that was the whole design, then there is an end of the charge of High Treason.

The conversation afterwards became a little sportive; two public men were characterised in a particular way; with that

however I have nothing to do, because we are not here to assign character to any body but the prisoner, and the witnesses examined against him. Now, Gentlemen, this conversation, if I remember rightly, took place on the 13th of January, that is to say, one month and ten days before that was done which occasions your being assembled here today. After that time, was the situation of the witness such as to make you believe, that he, a poor man, was applied to, not to overturn the state, but to take some measures to put a few pounds in his pocket. He says, three days after that he was arrested for some small debt, and taken to the prison in White-cross Street, where he remained for seven days, until the 30th of January, and never came out. Is this a man who is to overturn the state, who cannot answer for his liberty for a moment, or a person who would relieve himself from present want by embarking in some dangerous scheme to get a meal's victuals.

But, on the 3rd of February they met again, and Edwards was of the party, and I beg you to observe, that Edwards, who does not appear to have been an accomplice, who is not in prison or in custody, is stated to have been of every party—he is in the list of witnesses for the Crown, but he has never been in the witness box before you, however, upon this occasion the 3rd of February, nothing very material seems to have passed; but they began then to have a room in the same house where Brunt lived, taken for the apparent residence of Ings, but in which they had frequent meetings, the witness says, that these meetings were held twice or thrice a day, he is present at those meetings, and we shall see what account he gives of his own presence presently, but he having been a soldier of the King, and if a good soldier now enjoying a pension from the King, or some allowance, never thinks it his duty to disclose any one of all these councils to any person in existence—why not Gentlemen, if it had been Treason, if a man with the understanding of a soldier had heard the absurd plot which I shall have to state to you hereafter, he would have recoiled from it with fear and abhorence, and have given information to the constituted authorities; he must have known no part of the

plot could be accomplished, but that those who engaged in it, would expose themselves to certain destruction; but he knew as a thief that it was plausible, or that if he should afterwards fail of the desired plunder, he might come forward as King's evidence, and secure at least his own personal safety. I say it is impossible for this man to have believed the story he has invented and put before you, but in another way it is possible he should have concurred in such a plot as I describe, and most probably he would do so as a medium between him and desperation, as a resource against starving.

Gentlemen, between the 3rd and the 19th, the witness goes on (and it must have been near the 16th, for this reason, that the funeral of the late King took place on that day) they had another conversation, and between the 3rd and the 19th this plot assumes a shape, in this witness's miserable representation, which is to bring it here as a case of Treason, and what passes then—"I went up to the room" says this respectable witness, "the prisoner and Harrison were there in deep discourse, they told me the subject. Harrison said all the Life Guards and Foot Guards, and (let it not be forgotten, all the Police too) all the Police would be at the King's funeral, and this would be a favorable opportunity" to do what? to overturn the state? no it is not in the first proposition at all "it would be a favorable opportunity to *kick up a row*, and see what would be done." Kick up a row! the very phrase explains the whole design! that all the troops should be at the funeral was impossible, but all the police officers would; a few troops or police officers would put down their attempt, but, as the troops would not probably act without the presence of the police, if they kicked up a row, they could see what was to be done, that is, to whatever extent they could commit depredation. Thus, far the evidence has been consistent, for there has not been a word about overturning the state, and it was only in this conversation on the 16th of February, that this matter began to be talked of, and this is the way in which it is first mentioned. "Thistlewood (says the witness) approved of the plan," and without any introduction of the matter, by any thing said in the course of the conference, bolts upon this subject, "if

they could take the two pieces of cannon in Gray's-Inn Lane, and the six in the Artillery Ground, they would have possession of London." The possession of London! I should have thought that any man with a military education—I should have thought that any man who had seen the march of a single regiment, would have said at once, there is nothing less probable, than that you would have taken possession of any one parish in London—of any one populous street in London—all that which is here proposed, and all that which is afterwards proposed, would not give secure possession of Oxford Street. Of Oxford Street! it would not give the possession of a street of half its importance, because there are avenues that would require the guard of four or five hundred men, and much more artillery than these conspirators proposed to have, but "if they could get the two pieces of cannon in Gray's-Inn Lane, and the six in the Artillery Ground, they would have possession of London before the morning, and if once it was begun, and the fact was communicated to the army"—what would happen do you think? poor men "they would be at his Majesty's funeral, and they would be too much fatigued to do any thing," so that twenty-five men were to hold London with eight pieces of cannon, because the soldiers would be tired with sitting up a single night, and could not come to rescue the metropolis and the kingdom from a handful of desperate ruffians. Is it to be endured, Gentlemen, that a man shall come with these crude and rash inventions to swear away the lives of eleven men, upon testimony which would, in another place, weigh nothing in proving a milk-score or a washerwoman's bill. Can such idle dreams and dotages be received in a court of criminal judicature, or should they not rather be dismissed with the scorn and contempt so eminently their due. But when I make this exclamation, I am only at the beginning of the subject; he adds, "by persevering after they had got the cannon, they might prevent any communication from London to Windsor"—they were to possess all London, and all the road to Windsor, and all the avenues by these notable twenty-five men, and eight pieces of cannon,—this is Thistlewood's plan, and against

it the soldier did not say a word in the way of remonstrance; but it seems that remonstrance came from a man who was not a soldier, he used a little common sense, and stated obvious difficulties, although Harrison and Adams, with all their military experience, said nothing against the plan.

Gentlemen, the conspirators who could devise such a plot, might well be considered as mad; but at least they had method in their madness—they were to do a great deal, they were to secure London against the troops, command the road between London and Windsor, and to cause a diversion and take possession of the telegraph at Woolwich, for fear some information should be conveyed to the ports. Thus were roads to be commanded in this direction; important diversions operated in that; telegraphs secured over the water; a metropolis like London secured, and an army paralized, by a band of five and twenty paupers, who, in addition to their other wonder-working faculties, must have possessed the gift of ubiquity. Must we not wonder how such things could enter into any human mind. Is it possible to suppose that a man, unless he were too insane to come before a jury for trial, could have been the father of these plans? That a wicked man may have invented them, I can well understand; but that any seven or eight men, two of them soldiers, should have met to act on so ridiculous a proposal, exceeds all human credulity. If this can be credited, there is nothing in oriental fiction—nothing in ancient or modern poetry—nothing in the legends of the fathers, or the lives of the saints, but may be received as history and credited a truth.

But Thistlewood has not done yet: inspired with the presumed success of his first operations, he observes, that "that will be the time to form a provisional government." You see, Gentlemen, their military exploits are nothing in comparison with their profound political schemes: When they should have gained possession of London, these obscure beggars, these wretched paupers who had not a man of any consideration, fortune, or figure, to support them, they are to form a provisional government. That phrase is essentially necessary that constitutes the chief point of their guilt. If

you disbelieve that, Gentlemen, whatever you may think of them in other respects, the present case vanishes, like the fabric of a fairy vision into a thin air. The forming a provisional government—that pretty phrase which has been transposed into a hand-bill, is to make out the guilt of these men. A little before the late king is buried a thought comes up, that this would be the time to form a provisional government—to form it, and out of what materials? It is not pretended by any body at present, it may be hereafter, if you believe the witness, that any man of rank, wealth, or consequence, had any thing to do with this. Believe him to-day and you will not want that afterwards: but these illiterate beggarly wretches, who could not agree with each other about three or four lines to be written on a piece of cartridge paper, one began it, then another, and at last disagreed about it, were to form a provisional government. "The provisional government" then, says Thistlewood, "is to be formed when we have got possession of these cannon, and when we have commanded the road to Windsor, and impaired or possessed the telegraph at Woolwich; and there is every chance of not being interrupted by the soldiers, because they will be too tired." Mr. Adams and Mr. Harrison in their military education never heard of a bivouac or a night march; they believed the soldiers could not have made a forced march of twenty miles; that no means could have been invented to bring them by water or in carriages to quell a revolution, undertaken by twenty-five bold men, who had possession of eight cannon, without a horse to assist them.

Gentlemen, what was to be done next; business multiplies upon us fast; we have done a pretty good stroke of work already; but another thing must be effected, we must get possession of several out-ports, Dover, Brighton, Ramsgate, and Margate, and prevent any persons from leaving England without a licence. Very fine indeed! I wonder they omitted Harwich, and others, which might have been of use; but, however, Dover, Brighton, Ramsgate, and Margate, are the ports which are to be secured; and all

this was to be accomplished on the night of the king's funeral. I do not know how many men were to be detached on this exploit; but however it was to be done, and Brighton in particular must be taken possession of, because it brings the mind of the witness happily, and forms his tongue most naturally, to some intention about the present possessor of the crown. Long may he continue to wear it. Brighton was to be taken possession of, why?—not because the king was there; you know the king was labouring under as severe an indisposition as nature can endure, and bulletins of his state were issued every day; and therefore he was not likely to be at Brighton for some time, that every newspaper would shew. His Majesty is now happily recovered from that indisposition, and, in common with every good subject, I pray to God that it may be long, very long, before he experiences the recurrence of that, or feels any other calamity. I pray too that the sceptre of these realms may ever continue in his illustrious house. But these sapient politicians and bold conspirators, it seems, have decreed otherwise. The king was not likely to be at Brighton, nor at the funeral; but now comes the real aim: all before has been shot in the air— "He could not be allowed to wear the crown." These twenty-five men, with the eight pieces of cannon, could not allow him to wear the crown, "the present family had inherited it long enough." There has been no change in the succession for the last hundred years, and we think they have inherited it long enough, and there cannot be any use in his wearing the crown: and these sage politicians, as it is represented to you, decree the deposition of the present king, and fulfil the first count of the indictment. There, Gentlemen, there is the secret unravelled; these are the words of the wise; these the edicts of the powerful. Here is a kingdom to be overturned in an instant; the soldiers are to be absent; and these men are to meet with others, and agree to move eight pieces of artillery, without a horse that would grace a hackney coach, to subdue the greatest metropolis in the European world, without any more force than that already described: they are to possess the greatest public road in the kingdom; they are to incapacitate a large body of

troops from marching twenty miles, secure the telegraphs and sea-ports, without any other means than their own will. Such is the plot as it has been represented to you by this shameless fabricator of incredible falsehoods, and by him alone is the first count of the indictment supported. There is not a soldier who could have lent himself to it for a moment, and I should have thought if I had not seen the witness in the box, that it exceeded any confidence a man could feel to have dared to state it.

But, Gentlemen, it was also stated (because now the other parts of the plot begin to emerge) that two or three had drawn out a plan to assassinate the cabinet ministers at their first dinner. Now that is a curious phrase; it goes through the whole of this narrative, and it was known the cabinet dinners had been suspended during the period which followed the death of his late Majesty, and during the illness of his present Majesty; and now, mark how this tale of this wretched witness breaks itself to pieces directly it comes to be touched. The ministers were to be assassinated at a cabinet dinner, and that was to be before the 16th of February: there was no talk of a cabinet dinner before that, and yet the explosion was to take place on the 16th, and the government destroyed, although there was to be neither meeting of ministers nor cabinet dinner at the time they were plotting it: these falsehoods astonish one by their absurdity, they are gross, open and palpable; too flagrant for detection, too gross for exaggeration.

It seems at this time there were other meetings at Fox Court, and particularly on Saturday the 19th, and on Sunday the 20th; and at the meeting on the 19th, nothing occurred but this remarkable observation, that "they must do something on the following Wednesday." His late Majesty had been buried, the troops had not been absent or so conducted themselves that the conspirators could surprise and overturn the government, that plot had gone to nothing, and now their attention was to be called to something else; but now they are scattered in their views, and fall back on their original scheme of plunder; the announcement of the cabinet dinner in the New Times had not come to their knowledge, but

something must be done on Wednesday next, (and Edwards was there) because they were all so poor they could wait no longer. If there is any truth in this, it still resolves itself into my original proposition, that poverty was their goad, and plunder their aim, but nothing which could be called a political motive, or be put in question as endangering the government at all. Then this is said, "if nothing takes place between this and Wednesday, we will go to work; we are all so poor that we can wait no longer," and then a committee was proposed, and we shall see the next day the sittings of this committee, and the propositions made at it.—"On Sunday morning, about eleven o'clock," Adams says, "I entered the room. Owing to the thickness of the snow I could hardly see. I afterwards saw Thistlewood, Brunt, Ings, Harrison, Hall, Davidson, Harris, Cook, Tidd, Bradburn, Edwards, and Wilson. I found the business had not been entered into, Thistlewood proposed that a committee should be formed, and Tidd should take the chair." Tidd, therefore, I suppose, as a rehearsal of some intended scene in the provisional government, is duly installed with a pike in his hand; and now let us hear what he proceeds to do. Thistlewood was on his left, Brunt was on his right. Thistlewood said to the committee, "I presume,"—for certainly they had had no time to talk of it before all this had been done, without the least knowledge or suggestion on any one's part: you have heard the plot detailed by this witness, but Thistlewood says this according to his fiction,—"I presume you know what we meet here for." Upon my word, it was no small presumption, for no man could possibly know, I think, "he turned to the door, and said, I mean the West End Job." Now this is the first time the West End Job comes under our notice. Brunt never speaks without an oath, therefore, to make him natural, it comes out thus.—Brunt said, "Damn my eyes, mention it out; and Brunt was called to order by the chair." There is regularity; there is decency and propriety! Thistlewood then said, "Gentlemen, as we find there is no probability of the ministers dining all together, we will come to a determination to take them separately at their own houses. We shall not have so good an

opportunity as if they dined all together; so that we must take two or three at a time," that is Mr. Thistlewood's proposal, as the witness states it.—"I suppose we can have forty men for the West End Job; so I propose, that the two pieces of cannon in Gray's-inn Lane, and six cannon from the Artillery Ground shall be taken, and that Cook shall command them:" here we have the old plan brought forward again of the eight pieces of artillery.—The main body being gone to the West End Job, the artillery is to be taken by the residue, which is to be formed out of a number which never has exceeded twenty-five. The first witness swears he never saw at Fox Court more than fifteen; the doubt between him and another witness at Cato Street is, whether there were twenty or twenty-five, but these were to be manufactured into forty men; for the West End Job and the others were to take the cannon they were to seize the Mansion House.—The Mansion House!—twenty-five men would have been completely lost in the passages: they might as well have gone to take the Tower of Babel. But the Mansion House is not all; they are to take the Mansion House, they are to proceed to the Bank, and make an attempt upon that; and Palin by himself, uninterrupted, and carrying his satchel of combustibles at his back, is to set fire to buildings in different parts of the town; the provisional goverment is to be installed at the Mansion House—nobody to instal it. The Bank is to be attacked, and Palin, in the mean time, is to be wandering about, setting fire to houses for his amusement, and for the perfection of the plan. This is proposed, —what becomes of it in debate? Thistlewood said "there would be time between that and Wednesday to improve the plan," and he dropped the subject for the present, as Brunt had a proposition to make about assassinating the ministers. Thistlewood afterwards says "he will not drop his plan," and after some little obstruction and difficulty, he has it put to the question, and it is carried without opposition. A glorious beginning at least in the provisional government,—there is no opposition,—it is carried *nem. con.* "Brunt then proposed, that they should divide

themselves into separate lots, and go forward to assassinate the ministers separately; unless they had a cabinet dinner." —This is Sunday.—" Out of each party one should be chosen by lot to assassinate the person designated, and whoever the lot fell upon was to do it, or be murdered himself. Now how was that to be done, or who was to be the spare assassin, who was to kill his accomplice?—I cannot tell, but this is one of the many fictions you have to swallow, if you can give credit to this man's testimony." But on that, the witness began to fight the old soldier; he saw difficulty in it, and speaking for the first time, he said, " may not a man fail, and is he to be run through if he fails from unavoidable circumstances." "No," said Thistlewood, " not unless it is through cowardice." To what court martial the failing assassin was to be subjected does not appear, but the whole comes over you like the dream of delirium, or the illusions of frenzy; and you are to believe it, however repugnant to credibility, because this witness states it on his oath. Then Brunt's motion was put and carried. In a few minutes in came Palin, Potter, and Strange; Thistlewood communicated to them the plans, and they agreed to them; but Palin seems to have been a politician of a higher class than the rest, for he in a very parliamentary form, " rose to say a few words," and he said, " agreeing as I do in the plans proposed, there is one thing I want to know, there are so many things you have proposed to do at one time, that it would be of the greatest benefit to us if it could be done; you talk of taking forty or fifty men to this West End Job, you doubtless know better than I do, what force you are able to bring, but before I go round to the friends I can bring, I wish to know, am I at liberty to tell them what has been resolved on in the whole, or in part, or am I not?" Then Thistlewood gives this answer, an answer which is usually given somewhere else, importing confidence in ministers; Thistlewood said, " Mr. Palin undoubtedly knows what men he has to depend upon, and he will know how far he ought to trust them." An answer prodigiously wise and sententious, for it tells him nothing one way or the other.

Now, Gentlemen, you will see the importance of what Palin has said; it is demonstration of the weakness of their resources, and the impossibility of their having entertained the design charged. He expressed himself doubtfully of the plan, on the ground of their weakness and inability to execute it; he doubted the existence of resources; yet no satisfaction was given to him; there was no pretence of an ulterior force; he obtained only a general answer. "Mr. Palin, undoubtedly knows what men he has to depend upon; and he will know how far he ought to trust them". On their separation on the Sunday, what was to be done? Palin, the engineer, was to go and see what could be effected; he was to view a building in the neighbourhood, which appears to be Furnival's Inn, and it was said, "if that building could be set on fire it would be a good job." Palin, afterwards said, "it could be easily done:" if the test of fiction is to be in this case, what it is in every other, some remote pointing to probability, but a total want of rational application to possibility, this would be sufficient to stamp this as a gross and flagrant falsehood. Of all the buildings in that neighbourhood, Furnival's Inn, is the one, that presents the least facilities for being fired; it is a new building with party walls, according to the Building Act, no doubt, and built so as to prevent the communication of fire, and to make it far from easy to set the whole pile in flames; if they had pointed to other places where some of us live, the buildings are older and the communications more free; but Furnival's Inn is the least probable of all the inns of court I know. If they had gone a door or two on either side, nearest to Leather Lane, they would have found buildings of wood, which if they had applied a match to, would have raised an inextinguishable conflagration. Perhaps, old Furnival's Inn was in his mind, and this favoured his fiction; but if any man were to say the new building is easy to fire, he must be such an idiot and driveller as hardly exists on the face of the earth. A man in prison inventing something he is to tell the Privy Council and a Court, may strike on such a subject as this, he states it in examination before the Privy Council, and he must be

taken as he is found, for those employed by the Crown, would not suggest what would make his story probable, they bring him before the Jury, with all the credit they can give him, but with no assistance beyond that—for they would disgrace themselves if they did give it; and from the Attorney General to the Clerk of the Solicitor to the Treasury, there is not one I am sure but would disdain putting his hand to such a thing. Therefore, having once said, that that new building is to be the object of attack, and that Palin, and another man, approved of the plan, he comes to tell you so to day, that is, to swear to a fiction he has fabricated, in hopes that you will believe from him that which is impossible. Any man opening his eyes, and seeing the inn guarded by a gate, protected by a porter, and difficult of access, would say, that never could be the place chosen; it being intire within itself, without communication with any thing else, and leading to nothing which can much engage or attract the attention of the public. I apprehend that that inn being on fire from one end to the other, would create less sensation than a chandler's shop would at Charing Cross, because the streets diverge from that neighbourhood in so many directions, and the population there is so much more crowded together than in the part of the metropolis where the supposed fire was to be made. In the analysis of this man's evidence, you see the grossness of fiction, and the fondness of delusion, he hopes to gain reward or save his life; and he states what first comes forward, to prove a plot, which if it existed, a wise government might have overlooked, a strong one might have despised.

We come now, Gentlemen, to the business of the Exchequer. It is represented by some one, that if men are to be collected to do all this hard work they should eat a little bit, upon which Brunt says, "Damn my eyes;" and I must request your attention to the expression, from what was said in evidence, and by the Attorney General, in his opening. I beg pardon if I shock your ears by the repetition of these execrations, premising it is not a needless repetition; but Brunt introduces his speech, as usual, by

these words; and he says, "he has been out of work a great while; but he has got a one pound note, and will spend it all in treating his men"—the magnificent Mr. Brunt treating his men with a one pound note. Supposing Brunt did execute the generous intention, that would give you an insight into the secret; for if he gave them only a slice of cheese and bread, and porter, or gin, the fund would be exhausted on forty men, and there is an end of the exchequer and the revolutionists—for the most money produced was on one occasion six shillings, on another a shilling, on another seven-pence; this was all the treasure that astonished the eyes of the gazers, and a one pound note was talked of, that they might see, on some future occasion, if he possessed it, or rather if this man is to be believed; for I ask again, is it credible, that twenty-five men, from the dregs of society, could be allured by sharing in one pound to overturn a state; or whether it is not probable they had some other view, or whether it was any thing more than the hope of such plunder as confusion and uncertainty might assist them in obtaining, when they had done something which would create a very considerable alarm.

Gentlemen, I have endeavoured, in the hours I have stolen from my rest, to direct your attention to the material parts of the evidence. I do not affect to go through all the parts of it; I endeavour not to omit any thing against the prisoner, and I make such observations on it, as I think it bears. The task of reciting it at large belongs to my Lord; I know how it will be done, and need not dwell upon the subject. There was a meeting on the 21st, the plot is ripening, and something is to be effected. On the 21st, there is something said that might throw a little doubt upon the proceedings of these gentlemen, namely, a communication from the landlord of the White Hart, that Bow Street, and the Secretary of State's office, had got notice of their plans; but it frightened them not a whit; they are as brave as ever. Gentlemen, whether there had been communications to Bow Street, and the Secretary of State's office, we might have had the means of knowing; but we have not; that there had been some communica-

tions, we know, from Lord Harrowby, but to what extent we do not know, because one witness has not appeared, but communications had been made, as I have no doubt, this witness well knew, at the time communications had been made to the Secretary of State, and to Bow Street, and therefore, something must be done to force the plan forward a little, and we shall see what it is.—Upon the next day after the papers had been examined, and no man had reason to believe there was a cabinet dinner fixed—who do you think announces that there is one? Mr. Edward's—who produces the only paper which contains it? Mr. Edwards—he points out the paper, and the paper is bought, the only paper which contains the intelligence, and as you have heard in the evidence and cannot disbelieve, that intelligence, fabricated to deceive the conductor of the paper—and to become the stumbling block of these people, that falsehood is put into the New Times, which the Court reporter did not know of or communicate, which appeared in no other paper, but which most miraculously crept into the New Times, and that under circumstances to make it quite clear that the Court reporter had not given it, because he says the term *grand* could not be applied by him, that one cabinet dinner is not more grand than another, and therefore it would mean nothing. Then you see how the matter had been fabricated, and for what purpose—then comes this glorious news, as it may be deemed, to these men, announced by Edwards, and proved by the production of the New Times. What is the first thing that passes upon it, and from this time I shall discharge Brunt's imputed execrations from your attention. The Attorney General, believing his instructions, made an animated observation upon the impiety as well as the obduracy of a man, who could state his belief in God, in consequence of his prayer having been granted, in the appointment of this dinner: to be sure if the thing were true it stamps an iniquity and infamy beyond example; but you will see it is impossible, Brunt is reported to have said "Now I will be damned if I do not believe in God;" in the mouth of this fiction—making

witness, Brunt said this, "I have often prayed that there may be an opportunity when these thieves may all be got together, and now God has answered my prayer." What is this? I did not believe in God when I prayed to him, but now I do believe in him. I blaspheme his holy name, and the best of his attributes. I, Brunt, had never believed in God till this moment, but now I will begin to believe in God, but I have prayed to a God in whom I did not believe, to grant me an opportunity of murdering a certain number of his creatures, most favored, in point of wealth, fortune, talents, and circumstances, and now, that prayer is granted, I shall begin to believe—and I who prayed when I did not believe, confirm my faith, by blasphemies and execrations. Gentlemen, these are the fictions of a gross, rank, ignorant conspirator, who thinks that every thing he swears will be believed; but his inventions are below human ingenuity, and almost defy the grasp of human investigation, if we examine them we are almost prompted to believe them, because they are impossible; as a person once said, "I believe because it is impossible," that is, because no man would invent that which is so incredible. Now, I put it to you Gentlemen, that unless, upon a trial of life and death, you would adopt what was sportively said; in a philosophical argument you cannot believe this, for if this witness is contradicted out of his own mouth, and states that which is incredible, from the moment, his evidence is tainted with the disbelief in your mind. His creation is perforated by his own act, the tide rushes in, it sinks to the bottom, and can no longer form either a vessel or a buoy; it is gone for ever.

But, Gentlemen, I must proceed with my observations on his statement. Now, we have got through Mr. Brunt's exclamation, on which the Attorney General made his observations, then a committee was to sit directly, "and I" says the witness "was put into the chair, Thistlewood wanted to propose a fresh plan respecting the assassination, because now the ministers are caught in a purse-net—fourteen or sixteen of them—a good haul—and therefore, it it is necessary to form a new plan, but" says the Chairman,

(the witness) "I interrupted Mr. Thistlewood in this, refering to what I had said yesterday," that is to what had been said about information being given, at Bow Street and the Secretary of State's. Upon that there was confusion and violence, and I beg you to carry your attention to that, because I shall have to advert to it hereafter. Harrison said, "If any man should do any thing to throw cold water on the business, he would run him through the body." What, after such threats as this, could attach this man to his associates? he had time, he had means, and yet he mentioned this to no one, and the next day he was baited like a bull or a bear, but he remains firm, he does not desert them, but however, he was deposed from his kingly dignity, and Tidd was put in the Chair; then Thistlewood wanted to proceed, Palin stopped him from further explanation, and they moved, that a watch should be set, at Lord Harrowby's house, and accordingly a watch was set. Now, Gentlemen, this is a truth not to be doubted, and this is one of the extraneous truths proved, to which I shall direct your attention—a watch was set, at Lord Harrowby's house, as part of the plan which I say most undoubtedly did exist, of assassinating his Majesty's ministers, whether there would be any material impediment or obstruction to that, that watch was set to ascertain, and Davidson was the man who occasionally watched, this is confirmed to an extent I cannot deny, and I shall observe upon that by and by, because it never shall be my wish to press any observations on the jury, without treating that which could be said on the other side as fairly as I can. This meeting is on the 22nd, and the watch was then proposed, it was to be set at six o'clock, and to be relieved every three hours, up to twelve; there was no great sagacity in the measure, but such as it was, it was pursued.

Then they go on to the proposal of the plan, by which the ministers were to be assassinated; I shall only refer to it briefly, because, though I do not wish to urge newspaper knowledge more than is necessary, still it is impossible you should not have minutely informed yourselves

of the means by which it was proposed to carry the murder into execution, and the narrative of the witness in the box agrees with it, to the minutest particulars. Thistlewood was to knock at the door, and obtain admittance, on the pretence of having a letter—the servants were then to be secured—the conspirators were to rush up stairs, and the parties were to be murdered,—this, with a little additional figuring which comes out then, or a little after, about the butcher who was to take off heads and hands, as his share of the plunder: these are all the particulars of the plan, and all which he has stated without a variance from what was given in the newspapers, derived from his own information, and that of others.

Now, Gentlemen, after having murdered so many of the ministers, what are they to do next?—why they fall back, so barren is their invention, upon their old plan: Gray's-Inn Lane and the Artillery Ground are to occupy them all, they are to get eight cannon, without horses, by merely touching them with their fingers, I suppose; and again the unseen, unknown, unnamed provisional government is to be installed at the Mansion-house; what is to be its operation no man has said; what it is to govern, or whom, whether it is to depose the lord mayor, or any other king, is not disclosed; but the whole plan is a provisional government. Unless there is magic in words—unless you suppose that the pronouncing of them will "raise spirit from the vasty deep," I am as ignorant what is meant by them as I was when the Attorney General began. I did not know what they were aiming at; nor has any one person yet thrown the least light on the subject. These men were to be engaged in feats of arms, or scenes of plunder, and that there was any other person connected with them you have not heard as yet. Shall I say why?—if they had, as was done upon a former occasion, upon a trial where the name of Thistlewood was mentioned, some of these persons might come here as witnesses, and say, we never knew nor heard of, nor consented, to any such thing; nor do we believe there was a plan to make us a provisional government. And then the credit of the witness

would be broken to pieces on another point, in addition to the many I have already mentioned.

But further, Gentlemen, let us see what these redoubtable conspirators are about, according to this man. One generally supposes that a printing press is one of the engines without which a revolution cannot move for a moment. Have they any press?—No; not the means of printing a solitary placard; but Thistlewood is to write in such a hand as he can (and I wish you could have seen his writing) on three pieces of cartridge paper, certain magical words sure to effect a revolution in the country: "Your tyrants are destroyed—the friends of liberty are called upon to come forward.—The provisional government is now sitting." Your tyrants are destroyed! surely they do not mean that his Majesty's ministers are the tyrants of the country; if they do, with all my heart they are destroyed, and there is no view to any other tyrant to be destroyed. If they say it means the ministers, there is an end of the Treason; because, in point of fact, there is nothing done but to murder those worthy persons. It is a bad murder, but not High Treason. If the meaning of the words is his Majesty's ministers are destroyed, there is an end of the undertaking; and it is only required that the friends of liberty should come forward, not stating what they are to do; and that a provisional government is sitting, not stating where.—The gross folly of this would exceed all human belief, if stated from the most respectable person. If a dying martyr said it with his last breath, it would stagger credulity; but how much more, when it comes from a man tainted with falsehood in every part of his evidence.

Upon the walls of the buildings in flames were these papers to be placed, to the end that the people might see them by the light. These invitations are to be put on the walls of the houses on fire, to be consumed or crushed, and this is to be the mighty engine to levy the whole mass of the friends of liberty; the conspirators having no communication with any body, being incapable of disclosing their intentions beyond the spot where they instituted

them. The friends of liberty, whoever they may be, were, as they passed the fire, to be called on by this paper to come forward—for a provisional government, we do not know how composed; is sitting, we do not know where. Is it possible to sacrifice the life of men upon such fictions as these? Is it possible that a jury of the country can say they can take the lives of eleven men, on the deposition of such a witness, swearing to such egregious falsehoods as no man can believe?—fictions which are incapable of being brought into contact with common sense; and which no man who can count five, can be supposed to have suggested or have countenanced. We get rid then of those three placards which are to be the means of raising the friends of liberty, and all this is to be done before there is time to go to the Mansion-house, because, if you set a house on fire in Holborn, and go to Gray's-Inn Lane to fetch cannon, the placard will be gone, and there will be no finger post to point out where the provisional government is sitting, whether in a garret in Crown Street, or at the Mansion-house, no man could see from this bill; and yet you are to believe this was a plan for overturning his Majesty's government—for levying war against the king—and for deposing him from his legal crown and dignity as the sovereign of these realms.

Gentlemen, I am tired of repeating the incredibility of this story, and I proceed reluctantly to a further statement; I do not intend to pursue this man's evidence, in his walk from the room in Fox Court, to Cato Street; but before we go let me remark on one thing stated by Ings, the butcher. I wish some part of the exhibition, made here yesterday, were here to day. I have formed a conception, begging, that if it is unfounded, you will dismiss it from your minds, and not let my client be prejudiced by a mistaken impression of mine, but Ings is represented to have equipped himself with a belt and two bags, the belt containing several pistols; he having a sword, and the two bags being also about him. And you are taught to believe by this witness, that a human head was to be put into each of them. Gentlemen, if there is in the mind of

man, any thing sufficiently atrocious, to have crowned and confirmed assassination and murder, by a display so barbarous, I lament, and am truly truly heart-struck by it. When I have heard and read, as I did many years ago, of those exhibitions in France, to which the Attorney General adverted, I was then at the age of twenty or thereabouts, and even in that gay inconsiderate period of life, every nerve in my frame thrilled, every drop of my blood ran cold with horror, when read I of human heads paraded about the streets of Paris, and of the cruel insults offered the royal family, by exposing to them through the grates of their prison, the bleeding remains of those whom they had most loved. God knows I felt comforted by an honest assurance, that while British sentiment remained, such scenes never could take place here. No man would dare to publish himself as the perpetrator of such acts, but to day, to grace this cause, and to make additional impressions, to the disadvantage of the prisoners, it is to be imputed to Ings, that he had this unnatural and incredible atrocity in his thoughts.

Now, I come to the observation I meant to make; it may be unimportant and unfounded—but if I remember rightly, the bags brought before the Court, taken from the person of Ings, were such, as no man who had exercised the trade of a butcher, could have proposed to put a human head into—they were not large enough to contain it. I am told I am mistaken; I thought it was so, and I am only convinced of the contrary, because one of my learned friends obligingly corrects me, wishing that I should not persist in an error. But, Gentlemen, be the possibility as it may, do not for God's sake let us be deceived by these ignorant fictions—fictions, abusive of the nature and quality of Englishmen—fictions, which unless we give up all sense of national character, to favour the tale of such a witness as Adams, cannot gain belief in our minds. But examine your own thoughts, Gentlemen, take the declarations of all these men, from the beginning to the end of their supposed plot—their declarations of poverty—their expressions, that they were so poor, that they could not

stay beyond Wednesday—that they shall not fear the traps; those are the police officers in their own room, and then see whether it was the Lord Chancellor's head, or Lord Harrowby's plate, that was to go into those bags—that a needy man, in the perilous situation that Ings was placed, should encumber himself with two unprofitable heads, is, altogether incredible. The intention was to strike the ministers from the face of the earth; but Ings would not have loaded himself with their heads, when salvers and goblets, and beakers and spoons, were within his reach, and would have enriched him; plunder was his object; for Ings is the most clamorous about poverty; and Ings, therefore, is much more to be supposed to intend to steal the plate he should find, than to encumber himself with human heads, of no use, but to raise all mankind against him, and with a hand, the hand of Lord Castlereagh, which was to be put in pickle, and shewn on some future occasion, whether for money, or as a trophy, does not appear.

I have said I will not accompany this man in his walk from Fox Court to Cato Street, the circumstances he discloses there are of little value in this cause; but when you come to Cato Street every moment assumes some importance. He goes in, and he tells you that there were numerically (he does not say as he computes or believes) but numerically there were twenty people in the house besides himself, and he separates them exactly, eighteen in the room, and two below stairs. He tells you there was one candle, and one candle alone; that that candle (for he mentioned it in the singular number always) was put out on one occasion, and he cannot tell who did it. That when the Bow Street officers came up, they used these exprossions, which I took down:—Two stood at the door and said, "Here's a pretty nest of you. Gentlemen, we have got a warrant to apprehend you, and we hope you will go peaceably." To these very phrases and sentences he swears most distinctly. It will be my duty hereafter, when I state where he is confirmed and where

contradicted, to beg your attention to these circumstances, because they are pregnant with strong contradictions, and add, to my belief, that he was not present at the place. What was the whole exploit as to him?—a thrust with a sword was made, and he was very near the officer, but he escaped immediately, and walked away as unconcerned as if nothing had happened—those were his very words. If he was present then he was known to the officers who came there, and who favoured his escape. If he was not present, he is stating from public report what he has sworn to, helping it out by such additional circumstances as at his leisure he could devise.

Gentlemen, with your experience in courts, some of you may have been astonished that my learned friend cross-examined this witness so shortly, that he did not go more into the circumstances, and that he did not endeavour to get from him contradictions upon particular points, where it might be expected he should betray himself into contradictions. Gentlemen, I had the honor to submit to you that every art has its own particular technical points, and my learned friend never shewed himself a more consummate master of his art than in the brief examination of that man. To have examined him again and again, would only have produced a repetition of the fiction you saw so much of, under the examination of my two learned friends the Solicitor General and Mr. Gurney. You saw how accurately he had conned his story; how ready he was to prevent their running a head, when they were proposing fit and regular questions according to their experience and judgment—he checked the counsel: "I am not come to that part of the story yet," or, "I have something else to say before I come to that;" and not once but repeatedly,—conduct very natural in a man who, during the term of his imprisonment, had planned and chalked down, and devised, and designed, every thing that he could say; who could not be put out of his way as to a single word by any proposition, and who would not suffer his story to be mutilated, whatever the necessity and desire to do so might have been, and how-

ever fit it might have been to put his narrative otherwise. "No—I have not come to that part of the story yet;" and then he goes on with words and phrases preconceived for the purpose, and gives you his lesson as if he had learnt it out of a book. Then, if my learned coadjutor had wasted his excellent talents in cross-examination, what would have been the result?—he would have said twice that which he had said once. Witnesses like this are not overcome by cross-examination, but by an examination of their manner in giving their evidence—by investigating the improbability of their story, and by seeing how much of it must be mere matter of invention; therefore nothing came out in cross-examination except this, and most important it is, that when pressed upon that part of the subject, and with allusion to a phrase which the Attorney General had imported into his speech from the greatest poet in our language, whether he had any "compunctious visitings," he swore, and believe it if you can, that conscience alone!—no fear for his safety—no hope of a better state in this world, by reward or punishment—but his heart-struck-conscience alone induced him to be quiet from the murder of Smithers on Wednesday night, till his own being taken quite quietly on Friday, and then on Saturday he plumes his wings and goes before the privy council to disburthen his soul, and make atonement for his offence. I have been in courts a great deal, where informers have been called on to disclose what they knew of a matter, and I remember a very wise and able magistrate of Middlesex, who filled the chair of that session for twenty-six years, who, when an informer answered that he brought the prosecution forward for the love of public justice, always said, "Sir, the moment you say that, you become incredible, and there is no believing a word from your mouth." Now, Gentlemen, can you believe this man's story? He has been attacked as by a lion and a bull dog, put out of the chair, treated with indignity. He sees a murder committed, walks away as unconcerned as if nothing had happened. His conscience strikes him, though his pride

was not hurt. He rests on the stings of conscience four days, and then he unburthens himself. One would suppose you had not hearts, that you were not conscious of your own feelings, or else a man would not have the audacity to stand up before you, a discerning jury of the country, and state that which the children of a nursery would reject as unfit for belief. Now, Gentlemen, I have done with his examination; but, before I proceed further in this most arduous case, let me set myself right in one particular: Have any of my expressions induced you to think I have treated the case with levity?—if they have, absolve me from such an imputation. I never meant to do it. Men of right mind cannot treat lightly matters of this grave importance. I cannot hear without shuddering: I cannot believe without amazement—without indignation—without all the feelings of abhorrence that can enter the mind, that the person who has for so many years presided with unexampled industry, ability, and integrity in the highest and most important court of this country for the decision of questions of property, was in one moment to be a senseles corpse; that the victor of Waterloo, the pride and glory of the British name—he who exalted to its highest pitch the renown of our national valour, and became at the same time the avenger and liberator of Europe, was to have fallen under the hands of vulgar assassins, and to have perished in an inglorious broil. Gentlemen, I omit to name other intended victims for other reasons. I do not brag of my private or occasional acquaintance with any body, but I may have a slight acquaintance with some of them: take your measure from these two individuals alone, and say that they are connected with all the wealth and wisdom and learning and talents which were to be present at that cabinet dinner, and I am sure that the stoutest heart must recoil with fear and melt with compassion, at the mere mention of such a horrible butchery. And if you can suppose that I have treated it in any degree with levity, it has been from the inadvertance of the tongue, and not the corruption of the heart. I never intended it; and if I have

done it, I entreat you to replace me in your moderate and favorable regard, to view it with the kindness which I ought to claim as an Englishman.

Now, Gentlemen, I proceed to another part of my task, which is that of examining in what degree the witness is supported, and for that purpose I beg to bring back your minds to the passage I read from the book, and beg you to see how far this witness telling a tale, stigmatized with appearances of falsehood from the beginning to the end, is supported so as to gain your unlimited credit. He is supported in propositions of very little importance in this way by Mary Rogers, mistress of the house in Fox Court. I do not go through all their names, there was a servant from the house. She proved nothing, but that she had shewn the lodgings to somebody in January; but Mrs. Rogers proved that the lodgings were taken for Ings—no furniture sent in, and sometimes chairs were taken from another room, and once a table, so far he is confirmed—the apprentice Joseph Hale confirms him to an extent nearly similar; I shall observe where they contradict him—now, with respect to this there is no dispute. Joseph Hale supports him in saying, that during the latter days of the occupation of that room, before the explosion in Cato Street, numbers of persons used to resort there; that is the confirmation he has generally given with respect to that matter. Lord Harrowby and his servant confirm the intention of having this cabinet dinner, on Wednesday, the 23rd of February, of that there cannot be a doubt, nor is it part of my case that that was not intended to be the day of the murder—it is unimportant as it relates to the Treason; but Lord Harrowby confirms another witness, Hiden, who did communicate to his Lordship, in the Park, in the manner afterwards disclosed to the public, the danger to which he was exposed, and stated the reasons for doing so. There are three witnesses called (I do not cavil at the wisdom which presides on this occasion) to prove what would not have been disputed, namely, that the room in Cato Street was taken, and that Davidson was seen about it from time to time,

that serves for a parade to support the witness, it seems to say, you must believe this man—here are our three witnesses who swear they saw these persons at the room before the explosion, and that they were carrying things in. But, Gentlemen, this does not weigh one feather in the cause, it is utterly unimportant, and these are all the confirmations in direct terms. How is there collateral confirmation, I put out of the question here that which affords no confirmation of the witness, because the witness has stated none of the facts? I do not mean that you should forget Mr. Underwood's man, who sharpened the sword for Ings, or the pawn-broker, from whom the blunderbuss was redeemed—no doubt, if ministers were to be murdered, it was convenient the persons who did it should be armed, and therefore, it is not necessary to observe upon that, that the sword must be ground, and that the blunderbuss must be redeemed, is consistent with the plan of murder, without adding any thing beyond—and it does not confirm that witness, because he stated no one of the facts, except that Harrison, like every other cavalry soldier, knew how the barracks in Portman Street were situated.

Now, what other confirmation arises from the evidence of other men who have been brought forward, as connected with the cause, and the Attorney-General has most justly said, "Although I dwell so much on the evidence of accomplices," applying that to the witness Adams, and to another of the name of Monument; "yet there are witnesses whom I shall call, namely, Hiden, and an Irishman, Dwyer, who are not accomplices, and require no confirmation"—that is true, and if their evidence collaterally and independently could be implicitly believed, it goes to support the facts, though it is not directly given in confirmation of the facts advanced by the principal witness, but undoubtedly they do aid your belief of that which the principal witness has stated.

Now, let us examine what Hiden's statement is, Hiden says, that "a long time ago, during the life of his late Majesty, he met with Wilson, one of the conspirators

upon this indictment, and that he had no acquaintance with any of them but him," and I believe never saw any one of them but him; he says, "I was formerly a member of a shoemaker's club, I knew Wilson. A few days before the 23rd of February, I saw him. He proposed, if I would be one of a party to destroy his Majesty's ministers," and most curiously he says, he uses these very words "at a cabinet dinner,—they were waiting for one, and all things were ready, they had such things as I never saw, and which they called hand grenades. They depended on me to be one, and he said, Mr. Thistlewood would be glad to see me—they were to be put under the table, and they who escaped the explosion were to die by the edge of the sword, or some other weapon; they were to light up some fires, which were to keep the town in confusion several days, and then it would become a general thing;" that was his conversation with Wilson,—then he says, a thing which does him great honor, that he stated to Lord Harrowby the danger in which he was, but he did not state any general revolution, or any ulterior design. He went first to Lord Castlereagh, who seems to have been an object of particular spleen, and then he went to the most obvious of the cabinet ministers, and made a communication to him, which was to have the effect of preventing this plot taking place. On the 23rd he says he saw Wilson again, between four and five in the afternoon, he had never been at the place, he had taken no measures; but he saw Wilson again on the 23rd, between four and five in the afternoon, he met him in Manchester Street; Wilson said "I was the very man he wanted to see, there was to be that night a cabinet dinner at Grosvenor Square; I was to go to the Horse and Groom in Cato Street, or to stop at the corner till I should be shewn into a stable close by." It was to be by six, or a quarter before, he said there would be between twenty and thirty; this then was the whole force to murder the ministers, and this is the force on which it is to be imputed that they were to effect a revolution in the country; this is matter of mere speculation in the mind of this person, and of him

alone, for no man else concurred in it, or supported it; he said "there were to be a party in the Borough, another in Gray's-inn Lane, another in Gee's Court, or the city," that is somewhere at the further end of Oxford Road, or somewhere beyond Temple Bar. He said "all Gee's Court were in it, but would not act till the English began, because they had been deceived so often. I understood the inhabitants to be chiefly Irish." This is the conversation which he represents to have taken place with Wilson, only not acted or concurred in by others; and whether Wilson was the deceiver or the deceived, that was his conversation; but how truly it could be the intention of a man's mind to carry this plan into effect, it is for you to say. Hiden says, "I told him I cannot go with you now, because I am ordered to carry some cream to a customer of mine;" and supposing it might put six-pence in the pocket of this man, or one shilling or half a crown, the whole of the plot vanished before him, and he goes to buy his cream, and leaves the plot to succeed or fail as it may, giving himself no further trouble about it, for he is unconnected and unconcerned with it, not going again to Lord Harrowby, and saying, "My lord, be on your guard, the peril I announced is imminent; I know it, for I have met the man who communicated it to me:" Not a word of all this, he is so fearless of danger that he goes to buy his cream—he will not sacrifice a six-pence; he knows no such thing is intended as a revolution, and therefore he pursues his quiet occupation of purchasing cream, and gives himself no further trouble about it. This is not the way a plot to overturn government could be proved—a talk with another man in the street, who is too idle to give up six-pence; that is not the manner in which revolutions are effected, and states brought into danger. That is all that is material in this man's conversation. I do not say (and I will not lay myself open to observation, by seeming to suppress what I shall be supposed to fear,) that this is not matter to enter into your consideration: but so far from proving the case or supporting the witness Adams, unless you believe Adams, it does not weigh a feather in the scale, and that

you cannot believe him, I have laboured for a long time to shew, for which I ought to pray your patience, but it has been in vain, if I have not made some impression on your minds tending to convince you his evidence is not to be relied on, but that he must be dismissed from your consideration.

Then we get another witness of the name of Monument, and he was a person present at the time of the final explosion in Cato Street; he, it seems, comes newly into the affair; he has never been at any of the consultations, therefore, with respect to them which are the material points where confirmation is wanted, the witness Adams is not confirmed in the slightest degree, they call the man, Monument, who was not present at any former meeting, to state what happened at Cato Street; and he declares most positively that he has no recollection or consciousness of having seen so remarkable a man as Adams there: he does not remember, nor has he any belief in it; he tells you something most important to notice hereafter, but I think he does not say any one word tending to shew that any thing entered into the contemplation of the parties beyond the murder of the ministers at their cabinet dinner; and perhaps creating some confusion afterwards, of which they might take advantage in the way of a general scramble, reckless of life, so that they got some share of property.

Now, Gentlemen, that is the evidence of Monument; and there the case would be left, but for the very extraordinary and very incredible evidence of Dwyer, given as it is, and under all its circumstances. This Mr. Dwyer is a very honest bricklayer, who has worked according to his own account, and we cannot contradict him at present, for one master for thirteen years, who lives in Gee's Court, and is supposed to have some influence there, he says he was invited to engage them to rise in insurrection, and he promised to do it from fear, but at the same time his conscience told him that it was a bad thing, and he told the person he was speaking to, I believe Thistlewood, that it was a very hard thing for him to inveigle the minds of

innocent men. Why, Gentlemen, if it was a hard thing to inveigle the minds of innocent men, the man whose perceptions of right and wrong went that extent would see it was of vast importance to prevent the consequence, and he should have been one of those who gave information on the subject, but he does not in any degree state himself to have given such information till after the 23d of February—on the 23d February—

Lord Chief Justice Abbott. Within an hour.

Mr. Adolphus. I thank your lordship for suggesting it;—he disclosed it to Major James within an hour after the communication was made to him, namely, on the 23d of February, and Major James advised him to go to the Secretary of State. I forget whether he went or not. If there were no persons behind in this; if there were no emisaries to give accounts that would serve certain purposes, and swear to them afterwards, this man's evidence would be of more importance than it is; but as it is, I submit to you, that impeached as his credit is by the evidence brought forward with respect to him; impeached as it is by all the circumstances of incredibility attending him, it does not deserve belief in support of the proposition of a plot to overturn the government.

Let us see what the evidence is as it is taken down for me. "I became acquainted with Davidson some time before the 23d of February. I had seen him twice; he introduced me to Thistlewood about the 9th of February. Thistlewood said nothing to me particular—that he had been in five or six revolutions (I do not know what they call revolutions now-a-day's, Gentlemen, nor where he found them) but however he said 'that Ireland was in a disturbed state.'" Now I should have thought Dwyer with his Gee Court acquaintance must have known that as well as himself, "that he had a good many of my countrymen. In the afternoon of the 22d, I saw Davidson, who said he was going on sentry."—These communications had been going on from the 9th till the 23d.—"On the morning of the 23d, Harrison called on me, and took me to Fox Court," there, he says he had a bundle wrapped

up in a paper, "We went to a two-pair back room, in which there was nothing but an old chair. Thistlewood, Davidson, and a few more came in; Davidson had a blunderbuss, a pair of pistols, and a bayonet in his side pocket; there were one or two others came in, Brunt is one of them. When Davidson produced the pistols, he said he had given twelve shillings for them, and Brunt said he would go and buy a pair. Thistlewood spoke to them all at large, and said some of the hand-grenades were to be thrown into the Horse Barracks:" there we come to something of a contradiction, which I shall observe upon by-and-by. "Thistlewood asked me, how many of my countrymen I could muster for half past eight o'clock that evening, and I said about twenty-six or twenty-seven. I was to be at the Pomfret Castle, at half past six, in Wigmore Street, and I was to take a few of the best of them to the Foundling, and knock at the Porter's Lodge, and put a pistol to his breast, and to turn round on the right hand, and there were twenty-five or twenty-six stand of arms." Now that is a new plot which Dwyer imports into the case, and not one tittle of this has been communicated to any of the parties on any former occasion; they were to make a breach, to get cannon in Gray's-Inn Lane and Finsbury. "Thistlewood mentioned the cabinet dinner at Lord Harrowby's. I saw a bundle taken out of the cupboard, it contained gunpowder; a tin measure was taken out, and it was measured out in bags by Harrison; it was said a dozen pike-handles were to be taken to Mary-le-bone, the remainder were to go some to Finsbury, and some elsewhere.

In all this, there is an appearance of riot, and an intention to do something or other beyond the murder of ministers; but I deny that there is any one disclosure of any intention to carry the matter further, than the assassination and plunder of the moment—to overset the government and effect a revolution, and there is not a tittle of mention of a provisional government.

Now, Gentlemen, with respect to other circumstances, which cannot lie or deceive you, namely, the arms and

ammunition found—this I believe, as far as my judgment informs me, is all the confirmation the first witness has received. Unimportant as this confirmation is to the proof of a design and intention to depose the King, let us see whether in any part Adams's evidence is supported, and I think you will find it falls to the ground like the card-house of a baby, directly the finger of a human being is applied to it—there is not a thing that can stand on this testimony, and there is this, curious circumstance attending it, which would alone destroy that which is much better combined than this which is, that no two of the witnesses ever saw one another. Hiden never saw Adams, never saw Monument, never saw Dwyer, so with the others, they never saw one another; and which is most curious and most extraordinary, the man of all work, Mr. Adams, never states he saw any of the other three; they avoided each other in order to support each other; and you are to take it, that they support each other because no two of them speak to the same facts. Dwyer says, on the morning, while the pikes were in agitation and the cartridges about, he was in the room at Fox Court. Adams says the same thing, and yet they did not see one another. Adams says, that upon that morning, and during the same transaction, flinting the pistols, I think, preparing the ammunition, and so on, he was there, and most extraordinary it would be, that these two should never meet. Hiden is never met with or seen, nor his existence known of by Adams; and no man ever sees Dwyer, or knows of him, except a single individual person. Monument is never seen by either witness; and Monument, like Wilson, is so cold about the plot, that when he has a pair of shoes to mend for a customer, he says, I shall get a shilling by the job, and I will have nothing to do with the plot, and he declines the interview on that ground; and these are the mighty plotters who support each other on this formidable conspiracy, and on whose united credit you are to believe this story.

Gentlemen, I say, upon this mean and empty plot, so void of judgment and common sense, so incapable of

effecting any danger to the state; so certain to effect that which was just meditated—the murder of the party of persons intended, that it is a plot beneath the attention of Government; and instead of an indictment for High Treason, a common process to convict them of murder would have been sufficient. I submit that it is a plot not worth mentioning—that a wise government might well have overlooked, and a strong government have despised, even if they believed it to the extent they have been able to state. An act of assassination, which would plunge the whole nation in tears and misery, is the operation of a single individual, however incapable of good, however unimportant in the ranks of society, and nothing can be done too effectually to guard against such an operation, by any means that can be devised or applied; but in comparison with an act of High Treason, it is, to use the words of a late inestimable writer, "the chirping of the grasshopper in the field, while the stately ox feeds on, regardless or unconscious of the noise"—so might a wise and strong government, I do not mean to impeach either quality in our government, so might they have treated this miserable plot, and not have brought forward this apparatus, to convict as traitors, a dozen miserable beggars, irritated by hopeless misery, and impatient through extreme poverty. Such are the elements upon which artful wickedness can work; and such are the victims which resolute villainy can expect to sacrifice. But, Gentlemen, I beseech you to remember, that if you find these men guilty on the evidence of Adams, there is a premium for perjury, and an end of all security.

But referring to Adams, I have expressed in what points I consider him to have been confirmed and supported. Now let us see in what he is materially contradicted, and when I say materially contradicted, do not let me be taken to overstate the matter. Witnesses have been called to prove, from small circumstances, that this man must be telling the truth, if, from any of these small circumstances, you conclude he is telling the truth, then I submit with confidence, that the value of one contradiction

out of his associated witnesses, surpasses ten thousand such confirmations. When I say associated witnesses, I do not mean associated in the crime, but in the cause; I say that the evidence of all these to a hundred points, does not weigh so much as their contradiction as to one.

Now he describes that two or three meetings a day, of considerable numbers, the greatest fifteen, and in many instances eight, nine, or ten took place in the lodgings; is he confirmed in that? the buildings in town will tell you how frail the buildings are in Fox Court, but the landlady knows and hears nothing of these frequent meetings, except one on a Sunday. There are meetings to which I beg your attention, at one of which all was tumult and confusion; at another men flew at him, one like a bull-dog and the other like a lion, yet the landlady and the apprentice were in a state of unconsciousness of such tumult and confusion. The landlady and her neice, one being at home attending to the concerns of her family, and the other occasionally out on business, so that she knew less of the matter; but the landlady, who was almost always at home, and the apprentice, were called, not one of them giving the least countenance to these meetings, at which alone, if you believe Adams, the plot was disclosed, and if you do not believe him, the plot flies into the air with the mere effusion of your disbelief.

Gentlemen, I beg your attention particularly to his statement as to Cato Street, and I hope it exists in your memory. At Cato Street he states there were twenty persons exactly, and divides them by eighteen and two; Monument says with equal positiveness, that there were twenty-five, and he says Thistlewood being called upon to enumerate the strength and dispose of it, distinctly stated, we are twenty-one here, and those below four. A witness who pretends to be confirmed, should be confirmed in all his circumstances: now in these two he is rather contradicted than confirmed. But he says, at Cato Street there was one candle only, and it is important to say so. Now here are the two officers, and one of them, Ellis, declares he saw eight candles all alight, and that they were put out

at the time the pistol flashed: this is a point of contradiction, upon which there cannot be a mistake; because if there were but one or two, that is a fact easy to be ascertained; if the witness had said there were four or five candles, or more or less, I should not have addressed you upon that part of the testimony as being contradicted, but I do say that here it is materially, effectually, grossly contradicted.

But, Gentlemen, we advance to another contradiction, much higher, he says, and he makes a speech for him, that the first officer who made his appearance, that is, Ruthven, said, "Here is a pretty nest of you! Gentlemen, (for he used that expression I remember very well,) Gentlemen, we have a warrant against you, and so surrender your arms." What does Ellis say, and what does Ruthven say, was their expression when they came into the room; did he say, here is a pretty nest of you? no, no such expression; that, like all the rest of the garnish and ornament of this story, is a pleasant fiction of the witness Adams—did he say, Gentlemen, we have a warrant against you, therefore surrender your arms? no, the words which both the officers stated, and they agree in them exactly, are these;—"We are officers, seize their arms!" Now, Gentlemen, the distinction I take is this, with respect to this contradiction, he would know in prison, that the officers had said something, and he would invent that which would do most service to the cause, therefore he invents the circumstance of their declaring they had a warrant—therefore he invents the expression, here is a pretty nest of you—therefore he invents that which both the officers knew to be false, and contradict it accordingly. If the officers had said, we used a great number of expressions, we said there is a pretty nest of you, and so on, and he only repeated part of the words, it would not have been an impeachment of his testimony; but if a man adds the whole matter, the whole pungent matter, you may be sure it is a fabrication; and if the witness who stands before you lays his hand upon the Gospel, and invokes God to help him as he speaks the

truth, does not respect the Gospel or God, and does not speak to the truth, it is impossible you should give him credit in any degree, much more, that you should on his testimony deprive such a number of your fellow-creatures of their lives.

But to leave alone contradicting him by others, he contradicts himself. Always bear in mind, Gentlemen, that he has been in prison, and therefore he cannot have assisted his memory, however he may have exercised his invention: He stated that upon two occasions of long-continued meetings in Fox Court, Strange was present—Strange is put to the bar, and the witness is asked does he know him, and he says no. He is put to the bar with two others whom he is not acquainted with; this man, who was twice with him in Fox Court in the day time, he does not know! If he had remembered ten out of the eleven, there would be no danger in saying this man was Strange; but being one in three, he could not invent. Gentlemen, this is a trying, a strong, circumstance. If he has deposed the truth as to the meetings, he must have known Strange as well as he knew the others; but he does not know Strange, and unless some better reason can be given for that than I can devise, a witness, whose whole evidence is composed of such absurd improbabilities, and who comes to disclose his own want of certainty, cannot be believed by you in any particular.

Gentlemen, I have stated to you, and I have made it my theme all through this address, that Adams has not been confirmed to the extent he might have been, with respect to that which is alone material for you to inquire into, namely, the treasonable combination of these parties. I have looked, according to my instructions, to the list of witnesses for the crown, I find the name of one Edwards, living at 166, Fleet Street, lately abiding in Ranelagh Place, not a prisoner—not taken up upon this charge—not tainted as an accomplice by government—no treason that we have known of against him—a man cognizant of all the facts—a man present at all the conversations—a man who pointed out the New Times news-

paper, and saw and knew and guided every thing, and yet that man is not called—the spy is not called to support the informer, because the contrivance would have been made evident by his cross-examination, and therefore that man, like another spy, is kept back from examination; because one spy, who in another case, where Thistlewood was a party, and had been previously examined, was by the eloquence of counsel, and their ability, and by his own infamy blown out of court; when such a man as that, who could have told you all the facts, who made the fuses himself, who was so active, so ministerial in every part of the transactions, is made to abstain from giving the support of his testimony to these plots, said to have been agitated, matured, and contrived in his presence, what are we to say, but that the plot has no foundation in reality; and if all the circumstances could be investigated, it would prove that the treasonable part is altogether the brewing of a spy and an informer, to implicate in a charge of High Treason, a man who had gone far enough toward losing his own life, but not to the length of that greatest of crimes. The manifest aim and contrivance had been to foment, and afterwards disclose to public view, a secret conspiracy, to which they had afterward added fictitious circumstances amounting to High Treason, for purposes, to which government, if rightly constituted, would not lend itself, but which bad men are wicked enough to mature and to perfect, by appealing to the fears they have excited, and giving the best appearance they can to their false information.

Gentlemen, the Attorney General put himself to you in this way, what is to be said in answer to this case? is it to be said, that because the plot, which will be described to you is an improbable one, as to its success, therefore, you are to believe such a plot did not exist: will you disbelieve it on that ground? Gentlemen, I should think very humbly of myself, and I should think that the most inexperienced advocate at the bar, would not have the rashness to advance such an argument. It is

not because it is improbable that the plot is to be disbelieved; if so, history would be at an end. Need I illustrate this statement, by adverting to a most familiar instance, the Earl of Essex's plot, in the reign of Queen Elizabeth, a nobleman of his rank, in a moment of moody displeasure, against his gracious sovereign, whose power and wisdom he well knew, and to whom he had been infinitely obliged, suddenly and furiously rushed into the streets of London, and excited the citizens to follow him and take the state by storm; the madness that inspired him, if it was stated as a reason for not believing it, would blot from history one of its indisputably authentic pages. The Earl entertained vain expectations; he put them in action by a very foolish course of proceeding, and he met the fate, which such circumstances always must lead to. He was tried and executed for High Treason: I do not disbelieve his plot; nor should I disbelieve the plot, stated to day, if it was disclosed on certain testimony, and had been so communicated, as to encourage belief in the facts. It would be in vain to reason against the facts, because they are improbable; if we admit them as facts, all reasoning about their probability is at an end, and we can only lament, that men should form bad hopes upon such miserable foundations. I do not ask you to disbelieve this plot because it is improbable, but I ask you to disbelieve the witness because he has sworn to an improbable plot, unsupported by facts, and himself not corroborated by witnesses, who might have been adduced. It is therefore, I bring to the test, the possibility of that plot, and think I do not go too far when I say, it is impossible you should believe it. Each man, and every individual feels for himself, the particular emotions of fear and anger, which particular circumstances excite. I am not imputing to any man a base and unmanly fear—but when the table was strewed with pikes and fire-arms, and a thousand ball cartridges, as the word escaped from persons near me, so it might have come to you, how should I like one of these pikes thrust at me; but who is there among us, inept and foolish enough to believe, that such

an arsenal, backed by such a park of artillery, without a single pair of horses which would grace a hackney-coach to move it, could have been used for the purpose charged in the indictment. Such weapons and contrivances are the natural adjuncts of men, who mean to begin in murder and end in plunder; but it is absurd to suppose they could contribute to the downfall of the state and the subversion of the empire, One of the party, when he was taken, had two dozen cartridges upon him: now divide 1,200 by 24, and I think you have arms for exactly fifty men. These are the means to overturn the state; but where are the fifty men, and where are the guns for these fifty men—two or three wretched swords, and two or three miserable muskets, less than would be fit to protect a band of street robbers. In times, when gentlemen carried swords and pistols with them, they would not have enabled a gang of highwaymen to execute one night's adventure.

Gentlemen, this is the test of improbability and of impossibility, to which I bring the evidence of the wretched witness, on whom this whole case rests; and when I come to state my defence, see whether that does not, in every particular, and in every part of it, range itself under the evidence, and prove most distinctly what I have stated to you. With respect to a great part of this ammunition, let it not be forgotten, that the night before the transaction at Cato Street, it was taken away; and that a very short time, indeed, before the officers came to search the box which contained it, was, by some ingenious person, not friendly to the prisoners, placed in Tidd's lodgings, as the means of conviction and the source of condemnation. There is no doubt these unhappy men have been most malignantly tampered with; they were first exasperated to a design of limited evil, it was afterwards aggravated so as to favour the plans of those who wished to give it the character of High Treason, and then they were betrayed.

Gentlemen, you have been told, that the name of Thistlewood cannot be unknown to you. You know, Gentlemen, perfectly well, that the unhappy man at the bar,

was only three years ago, a supposed culprit, in the same degree as now, and was tried and acquitted; he afterwards suffered an imprisonment; and only in June last was liberated from Horsham Gaol, where he had been confined for sending a challenge to Lord Sidmouth, one of his Majesty's ministers, the Secretary of State for the Home Department—this man, coming with a rancorous mind and a bad temper out of a prison, to which he had been sent on the prosecution of that noble viscount, is the very element which an artful man would work upon, in suggesting a plan for murdering his Majesty's ministers. Immediately after the 16th of August, comes the fatal narrative of that transaction at Manchester, to which I do not mean to give a name; but you all know, who have read or conversed on the subject, how much that transaction agitated every mind, and how free and strong were the opinions which many men expressed upon it: here the means came by which to bring together every feeling and motive of a dissatisfied person to point out, (and it was done in many cheap papers) to point out the ministers as the cause of all the evil, and as men placed above the law, and therefore devoted to vindictive punishment, without recourse to the law; and can we suppose this was all written and said in vain, that no minds would be found weak enough to believe in it, no tempers sufficiently inflammable to act upon it? This is the real origin of the transaction; here, Gentlemen, you have the proposition of the plot exactly as detailed—a rash set of men who are called radicals, and who thought good would result from it, meditated to effect that horrible design which was less extensively attempted in the assassination of Mr. Percival, to make a massacre of all the ministers. Now, Gentlemen, take this with you, does it or does it not agree with every thing that you have heard—here is Mr. Thistlewood inflamed with personal anger against one of his Majesty's ministers, but most probably against more—here are others swayed by the hopes of undefined good, if they could get rid of these persons, and imbued with an opinion, that in their instance, assassination is only an irregular act

of national justice: I say, these men so instigated, were likely to be allured by a proposal to kill as many of the ministers as they could at one blow—first, they hope for a cabinet dinner—that does not take place, then do they devise means for an insurrection? no, nothing like it—but to separate themselves into small divisions, and murder each minister at his private house, then comes the convenient and never to be forgotten announcement in the New Times, placed there to betray them, and to that they addict themselves, and by that they are to be sacrificed—Ings is represented to be the foremost man, in the project of murder; but let us see whether to the very last the revenge of the Manchester transaction was not chiefly, if not alone in the minds of those people; you will see, that by a speech imputed to Ings, says Ings at one of the meetings, "I shall go forward into the room, and say, Well, my Lords, we have men as good as the Manchester Yeomanry, enter citizens and do your duty;" in all this is there any declaration that the King has reigned long enough, we are tired of his family; is there the least talk of an attack on Carlton House, or of besetting His Majesty, in his walks or rides, in going to Parliament, or in coming from it—no not a word of it—no talk of making away with any one of the Royal Family, from the eldest to the youngest, from the highest to the lowest—no, but the proposition is, that the matter was to begin with the massacre of ministers, whom they hated, and whom, instigated by the vilest of men, they thought they had a right to hate. Having effected that which they considered an important public service, by that massacre, it became necessary to consider, what they should do next; except the private enrichment that might follow from the conflagration of houses, and the plunder, there is nothing in the plot to which the least probability can be ascribed. Gentlemen, when I speak of the burning of houses to effect robberies, some of you can perhaps remember when that plan was carried to a considerable extent; it was in the days of my youth, when a timber yard in Long Lane, was burnt, for the sake of plundering a pawnbroker's close

by; the same means might present themselves to those who are clamorous about their poverty, who begin by saying the shopkeepers of London are all aristocrats, and are all working under one system of government, and there is not a man worth ten pounds, who is of any service to the state; and that they themselves are so poor, that in three days crime must be perpetrated, or they must be starved. These are the men upon whom, from these circumstances, some spy, setting on some informer, collects facts and declarations out of which he may fabricate the story brought before you to-day.

Gentlemen, I shall not take up your time by adverting to the contradiction or the explanation afforded by the witnesses I was instructed to examine. The credit of Dwyer is in your hands; you have heard what a man whom I called has said about him. My clients are too poor to get together the necessary witnesses—they are too poor to support their wives and children while they are in prison; they come therefore naked amidst all these perils. If you believe Dwyer, I am far from thinking he makes out a conclusive case; but I think, considering the improbability of his story, and the nature of his character, it is for you to reject his evidence, more particularly from his never being congregated with any persons who have given evidence.

Gentlemen, there has been tendered to me one person as a witness whom you enquired after, and I might examine. I have already had to advert to what there is of technical in our profession, and if there is one rule more inviolable than another, it is this, that we never do call or examine a witness, who has not previously disclosed what he can state; because if we were to do so, no man knows to what purpose he might be calling witnesses—no man knows to what effect they might be examined. I do not fear calling the witness, but a point of honest prudence, by which I am obliged to square and govern myself, makes me observe those rules, which I could not depart from without incurring more censure than any man could wish.

'Gentlemen, I believe I have gone through all that is necessary to be said on the present occasion; perhaps I have taken up an unwarrantable portion of your time. I feel in my own breast, and in my own mind, much reason to lament that I cannot have done justice to the subject: I am not guilty of a vain expression of mock modesty, nor do I pretend a diffidence which I do not feel; but when I observe to you, that one of the best scholars and lawyers at the bar, a man of eminent rank and in great practice, thought it necessary to declare on a former occasion, that he had spent a whole month in anxious reading, to qualify himself for the discussion of one day, you will hardly think I am guilty of any direliction of proper firmness when I say, I fear and tremble at what I have done, in my endeavours to save the life of this unfortunate man and his associates. I have had but a few hours to consider the case at all; and it was only after four o'clock this morning that I could qualify myself to come before you, imperfectly as I have done to-day. But, Gentlemen, on this occasion, where I feel doubt and anxiety, and tremulous apprehension, I throw myself on you, the protectors of the public, the shield of the accused, if you can have such implicit confidence in the witnesses on the part of the Crown, as to give credit to all they have said, pronounce your judgment; as it becomes me, I shall submit with perfect and unrepining acquiescence: But if, from the observations I have made, or those which your own minds have supplied, you doubt the evidence, then, fearless of the consequences, and in the proud discharge of your own dignified duties, act according to your conscience, and acquit your souls between God and your country, by declaring that the man at the bar is not guilty; or to use a better phrase, that the charge is not proved to your satisfaction.

Gentlemen, I am aware that with all my labor, I must have left many things imperfect through my own feebleness; I therefore betake myself to the refuge of the feeble, to prayer; and I pray the God of our ancestors, the God

"by whom kings reign, and princes decree judgment," to amplify your minds, and to touch your hearts, to enable you to come to that decision which justice requires; always remembering, that justice is most lovely and most venerable, when tempered with mercy. I know that if the impression of the present case call for the exercise of the more stern and manly qualities, you will do what justice requires; but if topics of compassion, topics of doubt, and topics of hesitation, suggest themselves, let the prisoner have the benefit of them;—and whether the prisoner's life shall be lengthened to the term originally assigned by Providence, or terminated on any other charge, with the expiration of the coming week, he will have to bless you, and posterity also will bless you, for they will feel that they may rely with security on the justice of a British jury.

Lord Chief Justice Abbott. Arthur Thistlewood, if you wish to offer any thing from yourself to the gentlemen of the Jury, in addition to what has been addressed to them by your learned counsel, you are at liberty to do so, and this is the proper time.

Thistlewood. I should wish two witnesses to be examined who are now in Court, against the testimony of Dwyer, a man of the name of Edmond Ward, to swear he had extorted money from him.

Lord Chief Justice Abbott. You must not state that, the time for giving evidence is passed; the evidence was gone through last night; but at the request of your learned counsel the Court was adjourned till to-day, it would be breaking through all the rules of proceeding to allow any such evidence now to be given, if you wish to address any observations to the Jury now is your time.

Thistlewood. I am quite satisfied, my lord.

REPLY.

Mr. SOLICITOR GENERAL.

May it please your Lordship.

Gentlemen of the Jury.

In rising to address you in support of this prosecution, I have a most painful and anxious task to perform. As the servant of the public, I am bound to discharge the duty which I owe to the country to the utmost of my ability and power, and I feel anxious, therefore, that nothing on my part should be omitted that may be necessary for the purpose of presenting this case in its true colours before you. On the other hand, however, I feel equally solicitous that in what I am about to state I may not misrepresent a single fact, or press a single argument against the prisoner beyond that point which the justice of the case may absolutely require. And, Gentlemen, I beg leave to join with my learned friend who has just addressed you, in praying that you will dismiss from your minds all prejudices and previous impressions unfavorable to the prisoner; that you will forget, as far as it is possible, all that you may have heard upon the subject of this prosecution, every thing that is not established by proof, and that you will confine your attention solely and undividedly to the evidence which you have heard from the witnesses who have been sworn in the cause. But I feel that in this request I am urging that which is unnecessary and superfluous; I am addressing an English jury, sworn to administer justice impartially between the public and the prisoner; and I ought therefore to apologize for intimating a doubt that, in the discharge of so important a duty, you can suffer your attention to be diverted for a single moment from that evidence by which the fate of the prisoner must alone be determined.

Gentlemen, the situation in which the prisoner now stands affords an admirable illustration of the excellence of that system of laws under which we have the happiness to live; a striking proof of their being built upon the

firmest principles of justice and freedom. It is admitted that he had projected the assassination of all the principal ministers of the crown. It not only is proved in evidence, but it is distinctly admitted by the counsel for the prisoner, that such was the intention which he had harboured in his mind, and which he had actually prepared to carry into execution; you have it proved, that with the prisoner's own hand, that unfortunate man whose name has been mentioned in the course of these proceedings, met with his death. Yet while that passion and prejudice which these circumstances were calculated to excite in the public mind existed, in its first violence, he was not, and could not be put upon his trial for the offence with which he is charged: he was entitled to such an interval as might afford an opportunity for that feeling to subside, as far as it was capable of subsiding. He was further entitled, before he could be put upon his trial, that which is never allowed in any other criminal charge affecting a man's life, to have delivered to him all the particulars of the accusation which he was to be called upon to answer, not yesterday or the day before, but nearly three weeks I believe from the present time, in order that, consulting with his counsel, he might have full opportunity to avail himself of any objections in point of law, which he might have to urge against the sufficiency of the charge. In addition to this, he has been allowed that important privilege which is conferred only upon persons under the heavy accusation preferred against the prisoner, he has had a list of all the Jurors who could by possibility be called to sit upon this trial. He has had an opportunity of rejecting arbitrarily to the number of thirty-five, any who might be called to constitute the jury in which he is so much interested; and it may therefore be considered that you, who are now called upon to decide upon his fate, are a jury of his own selecting. In addition to all this, and which you will find most material in the progress of this enquiry, he has had a list of every witness who could be called on the part of the crown. That list has been furnished to him, in order that he might have an opportunity of enquiring into the previous character, the previous

history and conduct of every witness who might be called against him, in order that he might have an opportunity of being prepared with evidence to impeach the character of such as would admit of impeachment. Such too, Gentlemen, is the benevolence of the English law, that he has been allowed to apply to the court, to appoint such counsel as he might think proper to select, for conducting his defence. It is therefore too much to say, as has been urged by the counsel for the prisoner, that a person standing in his situation has to combat with peculiar disadvantages and difficulties, since in no other situation would he as a prisoner have experienced advantages or benefits comparable to those afforded on this occasion, in order to enable him, according to the facts of the case, to prepare for his defence, against that most serious and solemn charge now preferred against him, a charge, gentlemen, of conspiring to overturn that constitution and that system of government, under which he is entitled to such inestimable privileges; and that, with a view of establishing some other form of government, in which the establishment of advantages of a similar character and description could never reasonably be expected.

This, Gentlemen, is the charge preferred against the prisoner at the bar; and when I mention the grave and serious character of the accusation, I merely repeat the language of my learned friend, and with the same view, namely, to call upon you to be careful that you do not, on light and general evidence, find the prisoner guilty of so grievous a crime; that you will bestow upon this enquiry that anxious and careful attention which its importance demands; and that you will not deliver a verdict of guilty against him, unless you are satisfied of his guilt on the clearest evidence. At the same time, however, if that is the impression which shall ultimately be made on your minds by the evidence; then, fearless of consequences, looking neither to the right hand nor to the left, without bias and without favour, you will, I am persuaded, firmly and faithfully discharge your duty to your country in the judgment which you shall pronounce.

With respect to what has been said upon the law of the subject, it cannot I think be necessary for me to trouble you with any observations. The charge preferred against the prisoner at the bar has nothing in it that is technical—nothing that is difficult of apprehension. It is in its character and description the plainest that can possibly be conceived. He is charged with having conspired to overturn the government of the country, and with having among other means endeavored to accomplish that object by the assassination of his Majesty's ministers. If you find that he is guilty of having so conspired—if you find that he has been concerned in taking measures for the attainment of that end, then in point of law he is guilty of the crime which is imputed to him upon this record, and therefore, saying nothing more upon the law, but directing your attention simply to the facts, you are apprised of the substance of the charge, and it will be for you to say whether it is made out to your satisfaction in the evidence which has been offered in support of the accusation.

There are some facts admitted on the other side, of a most striking and extraordinary character. It is admitted that the plot which I have stated was formed for the assassination of his Majesty's ministers, not for the assassination of two or three individuals among them, against whom the prisoner at the bar might be supposed to entertain some personal enmity, but the project was at one blow to destroy all the confidential servants of the government. This has been admitted in the most unequivocal language, in the broadest and most distinct terms, by the counsel for the prisoner. The object which the parties to this project had in view, was, as we state, and have proved in evidence on the part of the prosecution, to overturn the government of the country; and the object that is suggested and supposed on the other side, but which is not attempted to be proved, is, that this plan was formed merely with a view of plunder, and for the purpose of creating confusion, of which plunder alone was to be the object. I remember, however, that my learned friend,

the counsel for the prisoner, who now sits near me, in the course of his address to you yesterday, stated that the whole of this criminal design arose out of political motives and political views. If this attempt to assassinate his Majesty's ministers did then arise out of political motives and political views, what ground is there for that fanciful speculation of the gentleman who has just spoken, that the object of it was to create confusion, not with a view to revolutionary projects, but solely for the purpose of plunder. And, Gentlemen, when my learned friend is speaking of the visionary project attributed to the prisoner at the bar; when he talks of its extravagance—how improbable it is in all its parts—and what strong evidence you ought to require before you can bring your minds to believe it, I ask, with confidence, whether the suggestion which he has made as to the object which these parties had in view in the assassination of His Majesty's ministers, namely, that it was solely with a view to confusion and plunder—whether, I say, that is not in a tenfold degree more improbable, more absurd, more extravagant than that which I have stated as the motive, and which we have proved by the numerous witnesses called on the part of the prosecution?

And now, Gentlemen, I shall beg leave to direct your attention to the evidence. I will not go out of it to make a single observation that it does not fairly warrant, and that it does not require from the counsel for the prosecution. My learned friend who has just addressed you, states that this case, as far as the treason is concerned, rests solely upon the testimony of Adams: Gentlemen, I beg leave entirely to dissent from this statement of my learned friend. I trust I shall satisfy you when I come to direct your attention more particularly to the evidence, that this is a mere gratuitous and unsupported assertion on the part of my learned friend. At present, therefore, I state that it does not depend by any means upon the evidence of Adams alone; on the contrary, there is evidence in this cause, even if you were to blot the evidence of Adams from your notes, there is sufficient

evidence from the uncontroverted facts in the cause, proved by witnesses, not impeached or impeachable, to justify and require you to come to the conclusion that the prisoner is guilty of the offence with which he is charged.

But, Gentlemen, as so much has been said upon the testimony of Adams, give me leave for a moment to call your attention to the situation in which he stands, and to those rules and principles not merely of law but of common sense and reason, which ought to be used in the estimate of the credit due to his testimony. When a person comes forward in the situation of an accomplice, for the purpose of giving evidence against his associates, it is admitted that his testimony ought to be received. If the evidence of a person in this situation were to be always rejected, or, if it were to be disregarded by juries in the practical exercise of their duty, the consequences would be most injurious to the interests and safety of society. For what is the principal defence against dark and dangerous conspiracies of this nature?—The jealousy which men entertain of their associates, and the dread they feel of being betrayed by them. But once establish as a principle that the evidence of an accomplice is to be disregarded, and you lose the strongest and most effectual check against the enterprizes of wicked and desperate men. They will carry on their designs without fear and without restraint, when they know that they are secure against the consequences of the cowardice or treachery of their associates in guilt. It would be impossible, therefore, without leading to the most dangerous consequences, to exclude the testimony of a person in this situation: but when a witness comes before a jury who are to decide upon his evidence, whether he be an accomplice, or stand in a less unfavourable light, you are still to consider from all the circumstances in the case what degree of credit is due to his testimony: For I know of no rule of law that applies to an accomplice that does not apply to every other witness who comes into a court of justice. That you will and ought to examine his evidence with more care and jealousy I am ready to admit. But still the

question comes at last to this: What is the degree of credit to which, under all circumstances, he appears to be entitled? Let us then consider for a moment, and see what are the tests by which the evidence of a person standing in this situation is to be tried. It is of course most material to enquire into his previous character. If a man whose former life has been correct lapses, in a single instance into crime, and afterwards repenting of his conduct, or alarmed at the danger to which he has brought himself, becomes a witness for the crown—his previous character is a most important subject of consideration and enquiry.—If you find that to have been base and infamous, you will, of course, add that circumstance as an ingredient against him, and will be disposed to place less reliance on his testimony. Again, Gentlemen, you will ask yourselves what interest the witness has in the story which he is telling. I can understand that if an accomplice in coming into a court of justice is trying to redeem himself by laying the whole weight of criminality on others, that his evidence in this respect should be listened to with great suspicion and caution: but when you find the effect of his evidence is to criminate himself as much as his associates, you will ask what motive he can have to enhance the crime, and to alter its character; and thus to add to his other offences the deep and infamous sin of perjury. Applying this test to the evidence of Adams, I ask what motive can be assigned that should induce him to give a false account of this transaction.

There is another test to which I also request your attention, because it is of infinite importance in this cause. If he is telling a story in which he knows he may be contradicted—if he states that which is false by witnesses in the power of the prisoner, you will be disposed to place the more reliance upon his testimony, particularly if those witnesses who might be called are not called to contradict him. And, last of all, Gentlemen, you will enquire to what extent and in what particulars his evidence is confirmed by testimony, from pure and unsuspected sources. And here I beg leave to observe that I agree in the doc-

trine laid down by the counsel for the prisoner, that confirmation in light and trivial and collateral circumstances, may not materially support the general testimony of the witness; but if you shall find that confirmation extending itself thoughout the whole of his narrative—if you find the witness confirmed wherever, from the nature of the case, it is possible he could be confirmed, you will then be disposed to rely upon his veracity. When he is speaking of facts in the knowledge only of himself and his associates, and in which therefore there is no possibility that he could be supported, I think then when I come to direct your attention more particularly to the evidence of Adams and to the tests to which I have adverted, you will be satisfied of the truth of his statement.

First, with respect to his previous character. I have already mentioned that many days, I believe nearly three weeks before the trial, a list of the witnesses to be called on the part of the prosecution was delivered to the prisoner. I have stated the grounds of this regulation; that it was in order to afford the prisoner a full opportunity of enquiring into the character of those persons who were to give evidence on the part of the crown, and that he might be prepared with witnesses, if the facts would admit it, to expose and impeach their lives and conduct. The name of Adams was of course in that list. He had been long known to Brunt, one of the prisoners; he seems to have been acquainted with him when in France; therefore, if there was any thing to impeach his former character, that impeachment might be established by evidence, because Brunt had the means of knowing it. With all these opportunities and advantages then, has the prisoner been able to adduce any evidence for the purpose of shewing a single blot or blemish in the previous history and character of this individual? You will remember, perhaps, that an attempt was made to insinuate that he had left this country, and withdrawn himself to France, in consequence of some misconduct towards his employer. Upon further enquiry, however, it turned out, that there was not the slightest ground for such a suggestion; and

if he had in any way misconducted himself, that individual might have been called to give evidence of the fact, and his absence is a circumstance absolutely decisive in favour of the witness. It appears, that Adams, was by trade a shoemaker. He had been formerly in the army, and he went therefore to France, for the purpose of obtaining employment in his business, among the English officers, at that time stationed at Cambray. The witness, therefore, comes into court, free from every previous imputation or stain upon his character; not only has no evidence been adduced against him, but it is perfectly clear, from the facts to which I have adverted, that his character and conduct had been such, that no such evidence could have been adduced.

I have already observed, and I beg now to remind you of the observation, that in considering what degree of reliance you can place upon his testimony, you will further enquire what interest he has in the result of this trial. He was one of the persons engaged in the conspiracy; he was apprehended for the offence, and when apprehended, he was admitted as a witness for the Crown. You all know that a person so circumstanced, must, of course, understand, that if he conducts himself with propriety, and tells the truth, he will receive a pardon from the Crown. I would ask you then, what motive he can possibly have to relate the case otherwise, than as it really occurred? What reason can there be why he should charge himself and his associates, with a crime of a different description, and of a blacker die than that in which they were really engaged? And will you suppose that a man without motive, without any reason that has been suggested, or even hinted at, by the counsel for the prisoner, would add the guilt of perjury to his other crimes, and that too for the purpose of consigning so many of his fellow-creatures to a disgraceful and ignominious death. Is it possible that you can conceive any individual, without at least some motive of interest to himself, guilty of such base and complicated wickedness. Will you not, therefore, require some very clear, distinct, and satisfactory evidence, to

lead you to the conclusion of his having falsified the facts of the case, when he can derive no possible advantage from such conduct, and no motive can be assigned for so base and infamous a proceeding.

But, Gentlemen, there is another observation, which I beg leave to press strongly upon your attention. The witness has told you, that at the various meetings to which he has spoken, different individuals, from time to time attended, who were the associates of the prisoner at the bar—he has mentioned, among others, a person of the name of Hall, who is at this moment within the reach of the prisoner; he has mentioned a person of the name of Potter, the friend of Brunt, (for you recollect upon the morning after Brunt's return, when he was engaged in securing the baskets of ammunition, his apprentice Hale, was desired to carry them to Potter's house, in Snow's-fields); the witness has told you, that both Hall and Potter were at the last meeting in Fox Court; he has told you that Palin was at this meeting, another of the prisoner's associates, and Harris also has been mentioned, in whose house the prisoner was apprehended. All, and each of those persons, might have been called for the purpose of proving that Adams had given a false account of what passed at these meetings; if his account were really untrue, as the counsel on the other side have supposed, is it possible to give any satisfactory answer to this observation? Does it not carry conviction to your minds? Does it not prove to demonstration, that the account given by Adams, as to what passed at those meetings, is, in every particular correct. If Hall were not present, he might, as stated by Adams, have been called to prove the falsehood of the charge. If, on the contrary, he did attend, he might have been called to prove, that the account which Adams has given of what passed upon the occasion was false; the same with respect to Palin, the same with respect to Potter, the same with respect to Harris. My learned friend has not ventured to touch upon this circumstance, because, in his excellent judgment and understanding, he knew it was a fact, so unmanageable and decisive, that it

was impossible to give to it even a plausible explanation or answer.

Having then stated in what manner Adams might have been contradicted, if the story which he has related were untrue, let me now direct your attention to the manner in which his evidence has been confirmed, not as has been suggested, merely in trivial matters, or from doubtful sources ; but in the most important particulars, and from the most unsuspected and unquestionable testimony, the whole forming a body of corroborative evidence, so strong and irresistible, that no person who does not wilfully shut his eyes, and blind his understanding, to the force of truth, can, for a moment, entertain a doubt, as to the conclusion to which it inevitably leads.

You will remember, Gentlemen, that one of the first witnesses called after Adams, was a person of the name of Hale. He was apprentice to Brunt, connected with one of the prisoners, a witness above all suspicion. No questions were put to him on cross-examination, tending to raise a doubt as to the truth of his story ; nothing thrown out for the purpose of leading you to suppose, that there was any impeachment of his character. Now, I beg leave to request your attention ; and long and painful as this enquiry has been, I am sure you will give it to me, while I recall to your recollection, those marked circumstances of confirmation, arising in the first instance out of the testimony of Hale. He has told you that the room was hired by Ings and Brunt ; that they looked at it together ; and that Brunt said to Ings, "it will do, go and give her a shilling;" Brunt, therefore, was concerned in hiring the room. But where there is guilt, concealment is generally attempted. What was the account Brunt gave to Mrs. Rogers ? It appears she entertained some suspicion of Ings. She asked Brunt who he was. He replied " that he was a butcher by trade." I know nothing of him," he said, " except seeing him accidentally at a public-house." He gives the same account in the presence of the Bow Street officer, Taunton. Is this then correct or false ? Does it not appear, by the testimony of Hale, that for good or for evil, he was at the

very time he was giving this account, most intimately and closely connected with Ings. He tells you again, that after the room was taken, these parties continued to meet there night after night, for the period of five weeks. He names the particular individuals who were in the habit of attending. Now is it supposed, by my learned friend, that this is inconsistent with the evidence of Mrs. Rogers. When the question was put to Mrs. Rogers, she said, "I saw Davidson and some other men once. I cannot say that they met often." But she immediately afterwards explained the reason of this. She said "she could give no account of it, because she was seldom at home." Here then is Hale, an unsuspected witness, the apprentice of one of the parties, stating upon his oath, that these meetings were held every night, and attended by the prisoners. Does not this then confirm, with respect to a most important fact, the evidence of Adams? For what purpose did they meet? Was there any object of business or amusement in which they were engaged, to account for this circumstance? Has any attempt been made to explain it by evidence, or even by statement? Up to this moment has any motive, consistent with the innocence of the prisoners, been assigned for these meetings? It was an unfurnished room, containing nothing but a single chair. Ings having stated at the time when he hired it, that he should bring in furniture, but which he never attempted to do. I repeat it then, do not these circumstances spoken to in the evidence of Hale, confirm in the strongest manner the testimony of Adams?

Mark another fact. Adams tells you, that arms were from time to time collected in this room, and afterwards carried to the depot; he particularly speaks to a number of pike-staves brought there for the purpose of having ferrules put on them. This is the account given by Adams; and here I beg you will recollect that Adams is in custody, and has had no opportunity of communicating with Hale. He is at large, no charge has been preferred, or was ever thought of being preferred against him. He tells you, that one day the door being accidentally open, he observed

a number of these pike-staves, to the amount of about twenty in the corner of the room. How does he describe their appearance? They were like branches recently cut from trees.—You have seen them corresponding with the description which he has given. Hale confirms Adams, and the fact is established, that this was one of the places made use of for collecting arms. There is another circumstance connected with these pike-staves, to which I beg to direct your attention. It was stated by Adams, that Bradburn was employed to put on the ferrules, and that it was done in the room. What in this respect is the testimony of Hale. He says, "about the time I observed the pike-staves, I heard a hammering and sawing repeatedly in the evening." Could Adams have anticipated this? These circumstances, at first view apparently trifling, become of infinite importance, in considering the credit due to the narrative of Adams; for it is impossible that they could have been invented or adjusted for the occasion.

But there are other circumstances of a character still more marked and decisive. You remember that Adams stated, that on the Saturday, these parties had become impatient. It had been originally intended to make an attack upon the house of one of the ministers, when the cabinet were all assembled at dinner. The death of the king had interrupted these entertainments. There was no opportunity of carrying the project into effect; and Brunt afterwards stated in the presence of one of the witnesses (Monument), that the death of the king had altered their plans. Now, Gentlemen, to advert to the testimony of Adams. On the Saturday, having become impatient, the prisoner said, "we must have a meeting to-morrow; we must form a committee, and consider what can be done." This was on the Saturday, immediately previous to the 23d of February. You are told by Adams, that a committee was accordingly formed on the Sunday morning; that it consisted of more than the usual number of persons, and sat for a considerable time in deliberation upon the project which they had in view. What is the evidence of Hale? He also tells you that there was a meeting on the Sunday morning, and that

it was of a different character from the previous meetings. It was attended by a larger number of persons, and they appeared to be more closely engaged in consultation together. I do not read the evidence as I go along; I wish as much as possible to relieve you from unnecessary repetition; but if you will hear and attend to these observations, and bear them in mind when the evidence is recapitulated by the learned judge, I will pledge myself, that you will not, in any instance, find them built upon mis-representation or mis-statement. Should, however, any error occur, I am persuaded, that you, the prisoner at the bar, and all who hear me, will be satisfied, that in a case of this description, it must, on my part; be wholly unintentional.

Nothing further occurs in the testimony of Hale, until the day when the project was to be executed. Adams tells you, that about four or five o'clock on that day, he was in Brunt's room, that Strange and another man, whom he did not know, came in and fitted flints into five or six pistols, and that Brunt being apprehensive that they were overlooked by persons on the opposite side of the way, desired them to go immediately into the back room. Hale states the same facts almost in the same terms. He, in this particular, also confirms the testimony that has been given by Adams.

But, Gentlemen, it is suggested to me that something occurred, (but perhaps I am a little out of course in adverting to it now), that something occurred in the adjoining room when Dwyer was there; and that it was contended by the counsel for the prisoner, that Adams did not agree with Dwyer, in his account of that part of the transaction. But you will recollect that Adams told you he did not go to the room on the 23d of February, till late in the day, till three or four o'clock in the afternoon, and you remember Dwyer quitted the room by one, so that it was impossible that what was said in the presence of Dwyer, could have been heard by Adams.

But, Gentlemen, to revert to the evidence of Hale, you will no doubt recollect another remarkable circumstance of confirmation to which I am about to direct your

attention. Thistlewood was desirous of preparing a proclamation, not a proclamation to be posted, as my learned friend supposes on the houses that were to be set on fire, but to be put up near the fires, in order that it might be read by the people. He asked for paper—no paper adapted to the purpose could be procured; something was said about procuring such paper as is usually employed for newspapers, but Adams tells you he suggested that cartridge paper would answer better. Money was accordingly given by Thistlewood to procure it, and Brunt went out and directed his apprentice to buy six sheets. This was stated by Adams. He has had no opportunity of speaking with Hale upon the subject—he has had no means of arranging his evidence in concert with him; but this is the account which he gives: The paper was purchased, and the proclamations written. Hale in his evidence tells you that Brunt came out and desired him to purchase some cartridge paper, and that he accordingly bought six sheets, which were taken into the room, as Adams had stated. In this important circumstance then Adams is confirmed by Hale, as far as it is possible that he could be confirmed; for Hale was not admitted into the room, and of course can give no account of the purpose to which this paper was applied.

Let us look, Gentlemen, at the case a little further. The parties set out for the place of rendezvous, and Brunt among the rest is stated by Adams to have been in Cato Street, and to have been an active participator in every thing that occurred at that spot. He was not apprehended at the time, having succeeded in effecting his escape. What then is the account given by Hale?—He says his master returned home about nine o'clock in the evening, confused and fatigued; his coat splashed, his boots covered with mud. Immediately upon his arrival, addressing his wife, he said, "it was all over; a number of officers had come—that he had saved his life, and that was all." Does not this then most evidently point to the transaction in Cato Street? Does it not confirm, beyond the possibility of doubt, the testimony of Adams as to

Brunt having been one of those who were engaged in that transaction?

Gentlemen, there is a remarkable circumstance to which I now wish to beg your attention, because it relates to the ulterior projects which the parties had in view. You will remember Adams stated that the plan they had formed was to strike a grand blow, by attacking the ministers as they were assembled in Grosvenor Square; but this was only a part of their criminal design. There was another body, not consisting of the same individuals as the counsel for the prisoner has supposed, but of the friends of Palin, as to whom he had asked Thistlewood at one of the meetings whether he might not communicate to them the particulars of the plot. There was also a third party under the direction of Cook, destined to another enterprize; for the twenty-five persons assembled in Cato Street formed only a small part of the numbers engaged in this conspiracy.

Having recalled these circumstances to your attention, let me remind you of what was said by Brunt. A person came in, evidently one of those who had been in Cato Street; Brunt, after some conversation, suddenly exclaimed "It is not all over yet; let us go and see what they are about." and they immediately went out together. Brunt remained absent till near eleven o'clock. For what purpose do you suppose they went out?—the object is evident; it was intended that other operations should take place in different parts of the metropolis, and finding they were defeated at the West end of the town, Brunt exclaimed, "It is not all over yet," and went to enquire into the result of the other movements. This closed the proceedings of that day, confirming, from first to last, the testimony of Adams. What further takes place? He had desired his apprentice to clean his boots early in the morning, apprehensive that they might excite attention; he rose early himself, and went into the back room—into that room with which, when Taunton came up, he said he had nothing to do. He there opened a cupboard, and took out the remains of the ammunition and other articles

which were there deposited—and grenades (not hand grenades to be used at Lord Harrowby's, for those were carried to Cato Street) fire balls, and cartridges for the artillery, made in flannel bags. These were taken out of the cupboard and put into two baskets—one of them he covered with an apron of his wife's, which had been used as a blind in that very room with which he affected to have no concern. In a few moments afterwards, Taunton the officer came up, he seized the baskets, and addressing himself to Brunt, asked what was in them—he said they were not his, he knew nothing about them; upon which he was immediately taken into custody. Upon these facts it would be idle to make any comment. They are decisive as to the guilt of the parties; and confirm in the strongest manner the testimony of Adams.

Passing from the evidence of Hale, let me direct your attention to another fact. You all remember what was stated by Adams, that the arms were brought successively to the room in Fox Court, and that they were carried from thence to a place that was called the depot, at Tidd's house; and that Thistlewood, the prisoner, was always anxious for their removal. You find Taunton the officer immediately after he had searched the premises in Fox Court, proceeding to Tidd's house. He there found the arms that have been produced to you, weapons of every description, not calculated merely for an attack upon a single house in which sixteen or seventeen persons were assembled, but evidently and demonstrably intended from the nature and size of the preparations for some more extensive purpose. A trunk is found, containing 1200 ball cartridges. Hand grenades, fire-balls, cartridges for the artillery, are also discovered. But my learned friend has called a witness, for the purpose of endeavouring to explain these circumstances, the daughter of Tidd, who, of course, would be disposed to give the most favourable explanation for her father. But what is the amount of her evidence? She tells you that the trunk containing the ball cartridges had been carried to the apartment, three or four days before the 23d of February. It had

been decided, that the project should be carried into effect on the Wednesday; and the box, with the cartridges, was evidently sent to the depot with that view. It remained there ready for use during the whole time, and was left untouched in consequence of the failure of the plan, till the officer, Taunton, took it into his possession. But it is said by the witness, that some person took away a part of the arms on the 23d, and returned them on the following morning. If this be true, it corresponds exactly with the facts of the case. When the prisoners determined to carry their enterprize into effect on the Wednesday, of course, the persons engaged in it armed themselves from the magazine at Tidd's, and after the attempt had been defeated, they were then naturally carried back to the place from which they had been taken. The evidence of this young woman, then so far from impeaching the case on the part of the prosecution, tends most directly and distinctly to confirm it. Her account falls in with the particulars stated by Adams, and proves most clearly, that the story he has told is, in these particulars, correct.

Gentlemen, I hope I am not fatiguing your patience with this detail, but when the life of man is at stake, I am sure you will readily devote to me all that attention which may be necessary to the investigation of the truth. You will, I am persuaded, submit without reluctance to the sacrifice, from a sense of the importance of that duty which is cast upon you: I beg then to request your attention to another striking circumstance. You will recollect, that some conversation took place in the room with respect to a communication made by Hobbs, the landlord of the White Hart public-house. Adams has stated to you, that in consequence of that communication much agitation prevailed in the meeting, and that Brunt proposed a particular measure of precaution, to which I shall presently advert. I beg leave previously, however, to observe, that if the fact as to the communication made by Hobbs were untrue, Hobbs himself might have been called by the prisoner for the purpose of contradicting the testimony of Adams. There was ample time to have obtained his

attendance; a whole day elapsed after Adams had been examined. Hobbs is easily accessible, and might have been called; but he does not make his appearance. Can you therefore doubt the truth of this part of the evidence of Adams; and that it is as correct as his statement of the other facts to which I have called your attention. But to return to the course of observation which I was pursuing:—In consequence of the apprehension and alarm which seemed to prevail in the meeting, Brunt proposed, by way of security, to set a watch upon Lord Harrowby's house. This proposition originated with Brunt; it was immediately adopted, and Davidson with another person was directed to commence the watch on Tuesday evening, at six o'clock; they were to be relieved by two others, at nine, and who were to continue at their station till twelve. The whole of this arrangement was purely accidental: observe, then, in how extraordinary a manner this part of the narrative of Adams is confirmed. We called the watchman, who said, "I observed some persons lurking about the square that evening, and among them a black man, or man of colour, who attracted my particular attention. But the confirmation is still more striking. Adams has told you that he and Brunt relieved Davidson and his companion; that they went into a public house, at the corner of the Mews in Charles Street, where a young man challenged Brunt to play at dominos. Enquiry was made in the neighbourhood, for the purpose of ascertaining the truth of this statement, and it turned out to be perfectly correct. Gillan, the witness whom you have heard, was the person to whom Adams alluded. He recollected the person of Brunt, and confirmed, in every particular, the testimony of Adams. In every step that we take, you perceive in how remarkable a manner his evidence corresponds with the accounts given from quarters where no suspicion can by possibility attach.

Another witness, to whose evidence I beg leave to request your particular attention is Monument. He is undoubtedly to a considerable extent, implicated in the guilt of the prisoners. It is supposed, or suggested, by my

learned friend, that the assassination of his Majesty's ministers was to be effected solely with a view to plunder. Was it so? Attend to the language of Thistlewood upon his first visit to Monument: "Great events," he observes, "are at hand. The people are every where anxious for a change. I have been deceived," he proceeds to say, "by many persons, but I have got some men who will now stand by me." Is it possible to misunderstand this language? What was the change that he contemplated? What are the great events to which he referred? Murdering the ministers for the purpose of plundering London! Is it possible to suppose that this could have been the design, or that any man could have entertained a thought of commencing a system of plunder, by so extraordinary and atrocious an enterprize? In what way would the murder of his Majesty's ministers have facilitated this object? When he says, "great events are at hand—the people are every where anxious for a change—I have been deceived by many people, but I have now got some men who will stand by me;" what could he possibly be understood to mean, but that he was engaged in some political and revolutionary enterprise of a dangerous nature, and had got men who would stand by and co-operate with him in his endeavours to carry it into effect? And so it was evidently understood by Monument.

It is impossible not to call to one's recollection in this enquiry, the former station in life of the prisoner Thistlewood. He has been an officer, I believe, in his Majesty's service; he has moved in the situation and rank of a gentleman; and yet you find him with his previous habits descending so low as to become the intimate companion and associate of journeymen mechanics, and of others in the humblest condition of society, associating with them daily, holding consultations with them, in a small unfurnished back-room, in an obscure court, inhabited by the most obscure individuals. Is there not some extraordinary mystery in this association? Would he have stooped to this indignity, unless he had had some great object in view, which he was desirous of accomplishing, and which

he could only accomplish by their means? Is not this conduct on the part of the prisoner a circumstance that must weigh greatly in your deliberations upon this case and the nature of the enterprize in which he was engaged?

But to return to the evidence of Monument. He proceeds to Cato Street, and upon his arrival there the whole plan is developed to him. But it is suggested by the counsel for the prisoner, that as far as relates to Cato Street, there is some discrepancy between the evidence of Adams and Monument. The former stated the number in the room to be twenty, and when Monument was there, Thistlewood observed, that the number was twenty-five. But how does this upon a little enquiry turn out? When Adams arrived, all the party had not assembled; Tidd and Monument, and probably some others, came in afterwards; and it is further to be observed, that the men were not actually counted, there being nothing but the mere declaration of Thistlewood that they amounted to twenty-five. These then are the supposed contradictions, which, for want of better matter, are relied upon for the purpose of endeavouring to persuade you to believe that the evidence of Adams, or Monument, or of both of them, is not worthy of credit.

Some other differences of a trivial nature have also been insisted upon, between the account given by Adams and the statement of the officers, as to what passed after the latter had arrived at the stable. But can you suppose for a moment from this circumstance, that Adams was not present at that meeting? Who does not know, that in a scene of confusion of this description, when the mind is agitated, and every thing is in a state of disorder and tumult, the account given by those who are present, and eye-witnesses of the facts, will always be at variance in some particulars from each other. One man recollects one circumstance, and another person will observe and recollect another; and it is a common observation in courts of justice, and I refer to it, because observations would not be repeated until they become trite and hacknied, unless

they were founded in truth, that when two men describe the same transaction, if they describe it precisely in the same way, it leads to a suspicion of their veracity, and of previous arrangement and concert; for it is inconsistent with the nature of the human mind, that they should, in a confused and complicated transaction, agree in all the minute particulars of their story. And I therefore repeat, that not the slightest inference can be raised in favor of the prisoner from any supposed difference between the statement of the officers and that of Adams, as to what took place at the moment of ascending the ladder. Ruthven, the first who mounted the ladder, did not hear any person call out from below; Adams, on the contrary, said, somebody called out, "Look above there," as the officers approached; Ruthven did not remember this, nor Ellis—therefore my learned friend says, there is some contradiction, and you ought not to believe that Adams was present. But you will recollect, that Westcoatt said he heard these expressions used; and I mention this circumstance to confirm my position, and to show, that honest men, acting with the best possible intentions, when giving an account of the same transaction, will often, in many particulars, differ from each other. Ruthven tells you that he called out, "Seize their arms, we are officers!" now whether he said any thing about a warrant or not, I will not take upon myself to assert, but another officer says, the word warrant was used. Really, when such circumstances are relied on by my learned friend, you must, out of respect to his judgment and talents, feel that he is under the necessity of resorting to them, and of catching even at straws, because he has nothing more substantial upon which to rest his defence.

I beg leave now to advert to a witness of considerable importance in this case, I mean Dwyer. Some attempt has been made to impeach his credit. Dwyer told you, he had lived thirteen years with the same master, Mr. Smith. That account is not contradicted. A person of whom you know nothing, of whose credit you have no means of judging, comes here for the purpose of telling

you, that the conduct of Dwyer, upon some former occasion, about two months ago, was infamous; and that therefore he would not believe him upon his oath. Dwyer denies the fact alleged against him. Who is this witness that presents himself before you? A labouring mechanic: we know nothing further of him. Can any reason be assigned, why you should place more reliance upon his testimony than on Dwyer himself, who has lived and worked for thirteen years with the same master. But observe the conduct of this witness, who comes to impeach the credit of another. He tells you that a base and infamous proposition was made to him by Dwyer, and he acceded to it. It is true, that according to his own statement he afterwards withdrew, but he still continued to keep company and associate with Dwyer. Such is the account which the witness gives of his own character and conduct. Would an honest man, entitled to credit in a court of justice, have acted as he describes himself to have acted upon this occasion? and when a man thus paints and stigmatizes himself, what reliance can you place on his testimony, when he is called for the purpose of blackening the character of another. He tells you further, that he made no charge before a magistrate, but continued to associate with this individual as before. But there is another important fact, which speaks for itself, and cannot deceive you, and which is directly at variance with the account given by this witness. He says, Dwyer was very flush of money; he was throwing about his notes; and that circumstance led to the proposition to which I have adverted. So far from this being the case, you remember that Dwyer is a married man, with a family of three children, and was obliged to apply for assistance to the parish of Mary-le-bone, and that they put him to work at the mill where they employ persons in that situation. This was at the very period when the witness says he was so flush of money, about two months ago, and such is the nature and the value of the attack that has been made upon the testimony of Dwyer.

Now let us consider what is the story which Dwyer relates, who must, I am persuaded, notwithstanding the

attempt made on the other side, stand in your judgment as an unimpeachable witness. He tells you Davidson came to him and said "that he had some proposition to communicate; that it must be communicated on the Tuesday evening, but that he could not call, because he was going to stand sentry." What a remarkable circumstance is this, coming out too by mere accident. Where was Davidson going? He was going to watch at Lord Harrowby's on the Tuesday, of which Dwyer could have had no knowledge. But to pursue the account given by Dwyer, he says—that Harrison in consequence of this interview called upon him, and on the Wednesday morning for the first time introduced him to Fox Court. While he was there some of the other parties came in—Thistlewood among the rest, and the particulars of this scheme were unfolded to him. He was requested to join in the enterprize. He was supposed to possess considerable influence over many of his countrymen living in Gee's Court and the neighbourhood of that place. They endeavoured therefore to press him into their service; they stood in need of assistance, and seemed to have thought that at this late hour, when the scheme was ripe for execution, there was not much risk in making such a communication. At all events, when men are embarked in desperate designs of this nature, something must be put to hazard—something must be trusted to their agents and instruments; they must put themselves in some degree in the power of others, and rely upon their generosity or fidelity: and this is generally done in the last stage of preparation, from a hope that before any thing can escape or be revealed, the object itself may be accomplished. The outline of the plan therefore precisely as stated by Adams in his evidence was communicated to Dwyer. He tells you, that the ministers were to be assassinated by one party, another party was to set fire to the metropolis at various points, and a third body was to take possession of the artillery. These particulars were stated to him by Harrison and the other persons assembled in Fox Court. Now, Gentlemen, mark the other circumstances

of the case. Does not the preparation accord with this? Do not the materials that were at that interview exhibited to him, support the rest of the statement? For what purpose were the fire-balls prepared? For what purpose were the hand-grenades provided? But above all, for what purpose were the flannel bags of gunpowder to be used? evidently for the artillery, for which they were intended as cartridges. We have heard much from the counsel for the prisoner about the wildness, and extravagance of this scheme; and I do think it was most wild and extravagant, and visionary. But assume only one fact, one opinion that prevailed in the mind of the prisoner, and it ceases at once to have that character. The prisoner had conceived that the great mass of the people of this country, and particularly of the metropolis, were disaffected to the government, that they were tired of the constitution, and of that system of laws under which the nation had so long flourished; that the people, to use his own language, were every where anxious for a change; and that they would be ready at once to join in overturning the constitution, and establishing a new scheme of government. He hoped, therefore, that by striking a great and stunning blow, in the assassination of the ministers of the crown, by causing fires to be lighted in different parts of the metropolis, and creating that confusion and terror which would necessarily result from these extraordinary events, every tie would be loosened, obedience and order would cease, the spirit of hatred and disaffection to the government would every where display itself, and that the whole physical force of the metropolis might be brought into action, and employed to subvert the laws and constitution of the empire. This was the nature and character of the design; not so wild and visionary as my learned friend supposes, if the prisoner was correct in the estimate which he had formed of the opinions and feelings of the great bulk of the people. But in this I trust and know that he was mistaken; for whatever discontent and dissatisfaction may prevail from temporary and accidental causes, whatever may be the violence of party feelings and party animosity, I never can believe that the people of this country are not sincerely

and warmly attached to the constitution of their forefathers, and to that admirable and equal system of laws, by which their property, their lives, and liberties are so vigilantly protected. Had an explosion taken place, and many persons, which is by no means impossible, joined in it, destruction and devastation to a great extent might certainly have been produced; but I never can believe that it would have been attended with any real danger to this constitution and empire. But such was not the opinion that prevailed in the mind of the prisoner; far other were his notions; he considered that the great mass of the people was tainted with revolutionary principles, and that if the functions of government could but for a moment be suspended, the whole of their power would be brought into action, and the destruction of the present system would be accomplished. I do not therefore feel the weight of that part of my learned friend's argument, in which he would lead you to believe, that the plan could not have been entertained by the prisoner, because it was wild and visionary: this would be to belie all history, and to betray a deplorable ignorance of the human character, and of the heart and mind of man. My learned friend has himself recalled to your recollection an instance, not of a person comparatively in a humble station of life, but of an individual of high rank, of great fortune, of considerable talent and experience in the affairs of the world, I mean the Earl of Essex, engaging in a scheme much more extravagant, much more visionary and frantic, than that imputed to the prisoner at the bar; and for which his life was sacrificed to the violated laws of his country. Nay, looking around at what is now passing before us in other parts of this empire, I would ask, whether the schemes entertained and pursued by those to whom I am alluding, are not to the full as wild and visionary as those ascribed to the prisoner and his associates. And, Gentlemen, within my own time I remember an unhappy person standing in the same situation as the prisoner at the bar, an officer of high rank in his Majesty's service; of great and distinguished bravery, of acknowledged talent and experience; I allude to Colonel Despard, charged with a treasonable conspiracy, which, in its object, and the means by which it was to be

accomplished, was infinitely more wild, extravagant, and frantic, than the atrocious scheme which you are now considering: and yet no doubt has ever been entertained by any reasonable man of the truth of that plot, or of the propriety and justice of the verdict pronounced against him. And, therefore, without contrasting the absurdity of my learned friend's supposition, that this was a scheme of assassination merely with a view to plunder, without contrasting this supposition with the revolutionary project spoken to by the witnesses, and which is supposed to be so wild and irrational; but taking the question plainly and simply, the extravagance of the project affords no reasonable argument against the guilt of the prisoner. The only question will be, has the fact been proved? is the case established in evidence? does the proof satisfy your minds, not whether the project itself was absurd and senseless, not whether it was such a scheme as reasonable men would have entertained, but whether it was in reality formed.

But, Gentlemen, I have been insensibly led from the observations I was making on the testimony of Dwyer. Immediately after the communication was made to him, he left the house; this was about one o'clock. He tells you he was glad to get away; while he was deliberating with himself what course he should pursue, he accidentally met Major James, and told him all that had passed. Major James sent him to the Secretary of State. In all this he might have been contradicted, if what he has stated was untrue; for Major James was present, and might have been called on the part of the prisoner. What is there then to lead you to doubt the evidence of Dwyer? to lead you to believe that he is a man capable of coming into Court and, disregarding the sacred obligation of his oath, and every other feeling that sways the heart of man, to invent and fabricate a story, which is to have the effect of consigning to an ignominious death, the prisoner at the bar and his associates? Before you can come to this conclusion, you must, without evidence, believe him the most base, infamous, and merciless of mankind.

Then, when my learned friend says, this case rests so

entirely on the testimony of Adams, that if you get rid of that, you have nothing else upon which to come to the conclusion of guilt against the prisoner. He has either forgotten, or intentionally passed over, the testimony of Dwyer, and which confirms in the strongest manner the leading particulars of the plan, as communicated by Adams. It is further objected, that none of these witnesses were together, they were never present at the same time. I thank my learned friend for the observation:—if they were not present at the same time, if they had no connexion with each other; if Adams and Dwyer were present at different periods, when different communications were made; the correspondence between their evidence is more remarkable, and the more convincing. It shews there is no concert between them. They tell that of which they were themselves witnesses; and what passed at one period was in exact unison and correspondence with what took place at another.

There is another witness, a person of the name of Hiden, whom my learned friends on the other side have not attempted, in the slightest degree to impeach, either by evidence or by question put in cross-examination, and whose conduct has throughout been perfectly correct. The same communication was made to Hiden which was afterwards made to Dwyer. The precise day of the communication he did not recollect. He was struck with horror at the proposal, and communicated it to Lord Harrowby. So anxious was he to give the information, that he intercepted Lord Harrowby as he was coming out of the Park, and delivered to him a letter addressed to Lord Castlereagh, containing the intelligence which he had received. My learned friend was desirous to throw this back to a distant period. The witness did not recollect the precise day, whether it was one, or two, or three days, before the intended meeting; he had not taken pains to prepare his evidence for the occasion. Lord Harrowby is called; he tells you it was on the Tuesday, about two o'clock, some hours after the affair had been decided upon in Fox Court, in consequence of the production of the newspaper.

Now that I have mentioned the newspaper, I must observe, that my learned friend supposed this account of the

intended dinner to be all a fabrication; that Edwards was the author and inventor of it, for the purpose of involving the prisoner and his associates in the guilt of High Treason. Gentlemen, I am sure every thing that rests merely upon assertion, every thing that is not proved in the cause, all that is surmised about spies, and other topics of a similar nature, resting upon no proof, will be rejected from your consideration; but was it, as my learned friend has hinted, was it an ideal dinner? The cards had been sent out on the Friday, or Saturday, and it was announced in the usual way in one of the ministerial papers. But some doubt was entertained upon this point; a gentleman was called, representing himself to be the Court Reporter, he said, the communication did not proceed from him; but a person from the New Times office, in which paper the article appeared, produced the manuscript, which contained several other announcements of a similar nature, and they were all proved to be in the hand-writing of another Court Reporter of the name of Lavenue. Such are the extraordinary surmises and suspicions, which have been introduced into this case. It was supposed, that no dinner was intended, that the whole was a fiction, that some person behind the scenes, who possessed great influence over the prisoner, and could move him like a puppet, had for his own purposes inserted this article in the paper; but when the affair comes to be investigated, the cloud is at once dispersed. The fact is, that a proper and decent interval having elapsed since the funeral of the king, the cabinet dinners were resumed, the cards were issued, and on the Tuesday it appeared in the usual form in the paper.

But to return to the evidence of Hiden. He says that Wilson, one of the prisoners, communicated to him all the particulars of the plot, and his statement corresponds precisely with the account given by Adams,—with the account given by Dwyer,—and by Monument; that four parties were to be formed; that the town was to be set on fire in various places; that attacks were to be made in different quarters; and, for that purpose, the cannon were to be seized, and all this was to be consequent on the attack at Lord Harrowby's. Wilson further stated, that Gee's Court where Dwyer lived were all in it; for Dwyer had given them reason to

suppose he would embark in the transaction. He tells you that he felt it necessary to do so, for his own personal security. This is at once a confirmation of the truth of the statements both of Dwyer and Hiden. They have had no communication together; Dwyer had given the prisoners reason to suppose they would be joined by the people at Gee's Court; and Wilson communicated that circumstance to Hiden, which confirms, in a remarkable manner, the evidence of Dwyer. Now, Gentlemen, I will ask you with confidence, what becomes of the observation that this case rests entirely on the testimony of Adams? Am I not justified in saying, that if Adams were the most infamous of witnesses, and you were even to blot his evidence from your notes, there is abundantly sufficient to bring home the case to the prisoner at the bar. But, passing from this evidence, let us come to the events of Cato Street,—to facts which cannot be contradicted or disputed; which speak for themselves, and speak so strongly, that my learned friends have been compelled to admit that there was at least an intention to assassinate his Majesty's ministers. But, Gentlemen, I conceive that if you shall be of opinion that such an intention was entertained,—an intention to assassinate not merely this or that individual in the government, but by one great and sweeping blow to destroy the whole cabinet, this will go a great way indeed to satisfy you, that there were further objects in contemplation, because I cannot suppose that from any motives of enmity or revenge directed against individuals of whom the prisoners could have no personal knowledge, they would have embarked in a design so dangerous and so wicked. If they formed the design of murdering the ministers of the Crown, it is impossible to suppose that this was intended to be effected with any other than an insurrectionary view. I think therefore in this concession extorted from my learned friends by the force of the evidence, they have abandoned the case of the prisoner; for with all their ingenuity, they could not even shape a plausible case in support of their supposition that such a blow could have been intended with any other view than to lay the basis of an insurrection, in which it was hoped and expected that the great body of the people would instantly join. As to

the trifling means of the parties, that consideration, in the view I have taken of the case, is no objection against the reality of the design. All that they conceived to be necessary for the attainment of their object was to strike one great blow, to exhibit an appearance of force, and they confidently expected this would be followed by a general revolt they might lead and conduct at their pleasure.

Without entering into details of what took place in Cato Street, I beg leave to direct your attention for a moment to the nature of the preparations. If the conspiracy was merely with a view to plunder, why prepare materials for loading cannon?—why prepare so large a quantity of ammunition? My learned friend has attempted some explanation of the motives of that part of the design which related to the setting fire to the metropolis. If he thought such explanation necessary, and endeavoured to show how it agreed with the supposed design of plunder, it was equally incumbent on him to give a similar explanation as to the other circumstances of preparation made by the prisoners: but he has not attempted to do this. And in truth the materials collected were inconsistent with any other view of the case than that which I have stated; and they confirm beyond the possibility of doubt the story told by Adams, Monument, and Hiden; the latter of whom was so anxious immediately to give information, for the purpose of counteracting this most infamous plot.

But it is objected that we have not called other witnesses who might have been produced; that there is a person of the name of Edwards whom we have not examined. The fact is, we have called two persons who were engaged in the conspiracy with the prisoners, and if we had called others, it it would only have had the effect of leading to a still more copious torrent of invective from the other side. We have called two witnesses, and we have confirmed their testimony beyond the possibility of dispute. But when my learned friends say we have not called certain other persons to support the case of the prosecution, how much more strongly does the observation apply against the prisoner who has witnesses in his power to produce, his own friends and associates. Potter, Palin, Harris, and Hall, and others who

were present on the same occasion, who have been spoken to, and who might have been called to show that the account given by the witnesses for the crown is false and fabricated, and yet not one of them has appeared to contradict the statement made on the part of the prosecution.

But this plot, it is contended, had nothing of a political view. Observe then the language and conduct of the prisoner. The numbers at Cato Street were not so many as he expected;—they amounted only to twenty-five. He was alarmed;—he was apprehensive they might desert him. He endeavoured to inspire them with confidence. He warned them of the danger of retreating.—It would prove, he said, another Despard's job. Why that allusion, but because his enterprize was of a similar character. Can it be explained on any other principle? Does it not shew what was passing in his mind at the time, and evince the true nature of the enterprize more satisfactorily than evidence of any other description? But to pursue this still further:—Davidson is apprehended, and immediately exclaims, "let those be damned who will not die in liberty's cause;" and he sings a line of the admirable ballad of the poet Burns, 'Scots wha' ha' with Wallace bled.' Does not this speak for itself, in terms too distinct to be misunderstood? Does it not unfold his heart and mind to our observation, and shew what was passing there at the time; what was the object of the criminal enterprize in which he had embarked; what it was for which he was then a prisoner.—Assassination to be followed by plunder?—no, but assassination to be followed by revolution, and the establishment of that which he miscalled liberty. And here it is impossible not to deplore the self-delusion of these misguided men who, engaged in an atrocious design against the laws and constitution of their country, and which was to commence by the sacrifice of some of the best blood of the nation, by the murder, among others, of that distinguished individual who had led our armies to victory, and exalted among the nations of the earth the name and character of Englishmen, could suppose that they were treading in the steps of the great Scottish chieftain, who, with the spirit and the energies of a real patriot, laboured to free his country from a foreign yoke; and with inadequate

means and resources, but animated by an unconquerable spirit, put at bay the power of England, performing deeds of the most heroic valour, till he fell at last a victim to the basest and most degrading treachery.

Gentlemen, I have gone through this cause. I feel myself exhausted, and I am afraid I have worn out your patience. My omissions will be supplied by my Lord. Let no suggestions made by my learned friend operate on your minds, except so far as those suggestions arise out of, and are supported by the evidence. It is easy to scatter insinuations, and to impute blame; but you, I am sure, will not consider accusation, still less dark and indistinct surmises as proof. You are told that the prisoner is contending with the power of the Crown, but he is contending before a British jury, who, if they were to incline to either side, it would be in favour of the accused: and I am sure, knowing as I do those who are associated with me upon this occasion, there is no wish or disposition, on the part of the prosecution, to press against the prisoner any point beyond what justice requires. We have no other duty, and can have no other desire than to lay the case fairly before you. It will be for you, then, receiving the law from his lordship, who is bound by the same obligation as yourselves to say whether, upon the evidence which has been laid before you, you are satisfied that the prisoner is guilty of the crime with which he is charged. Every assistance which extensive talent and long experience, and knowledge of the law could afford to a person in his situation, he has received. Nothing has been wanting to his defence. Before I conclude, I beg leave to repeat what has been said by my learned friend, the counsel for the prisoner, that if you entertain a reasonable doubt on the subject of his guilt, it will be your duty to acquit him: but, on the other hand, as the guardians of the public peace, acting under the sacred obligation of the oath which you have taken, if you are satisfied that the case is made out against him, you will discharge your duty without looking to the consequences with that firmness, impartiality, and integrity which have ever been the distinguishing characteristics of an English jury.

SUMMING UP.

LORD CHIEF JUSTICE ABBOTT,

Gentlemen of the Jury,

This is an indictment against Arthur Thistlewood, the prisoner now at the bar, and several other persons, who, in the progress of this trial, have also appeared at the bar in order that they might be identified by some of the witnesses, charging them with the crime of High Treason. That crime, Gentlemen, has been truly stated to you to be the greatest crime known to the law—it is so, because it comprises not only individual and private evil as most others, but in addition to them a great and extensive public evil also; a charge so serious, requires at the hands of an English jury, and will, I am sure, from what I have already seen, receive from you the most grave and mature consideration. The charge upon the record, Gentlemen, is divided into several heads:—the first is, that of compassing and imagining to depose the King—the second, that of compassing and imagining to put the King to death—the third, that of compassing and imagining to levy war against the King, in order to compel him to change his measures and counsels, and the fourth, that of actually levying war against the King; two of these charges, Gentlemen, namely, the compassing and imagining the death of his Majesty, and the actually levying war against him, were declared to be treasons by a statute passed as long ago as the reign of King Edward the III.; in the construction of that ancient statute it had been held, not only in many cases passing in judgment in our Courts, but also by the opinion delivered to us by grave and learned writers upon the law, on that subject, under that statute, and according to its true construction, that all conspiracies and attempts to depose his Majesty, and all conspiracies and attempts to levy war against him were overt acts of a treasonable intention to take away his life, because as experience shews us, the death of the Sovereign generally follows his deposition. In order, however, Gentlemen, to

remove any mistake that persons might fall into, a statute passed in the reign of his late Majesty, similar in substance, and nearly so in language, to several statutes which had been formerly passed, but which operated for a season only, by which the compassing or imagining to depose his Majesty, or the compassing and imagining to levy war against him, or to compel him to change his measures and councils, were each declared to be a substantive treason. And as the evidence in this case points more directly to the compassing to depose, and to levy war against him, than to the actual intention to take away his life; the most simple way of presenting this case to you, is, to direct your minds to these parts of this indictment, which charge the compassing and imagining to depose the King, and compassing to levy war against the King, in order to compel him to change his measures and councils. You will observe, Gentlemen, that the substance of the case is made to consist in the intention, in the compassing, imagining, and intending, not the actual deposition of his Majesty, or the actual levying war, but in the intending to do it; such intention, however, must be manifested and followed up by certain acts of the parties, which acts must be as they are in this case stated on the record, and proved to the satisfaction of the Jury, as containing a traitorous intention.

Now the acts charged on the indictment are, as applied to each count, the same—they are first, the meeting, conspiring, and consulting amongst themselves to destroy the government of this realm as by law established, meetings and consultations to levy war against the King, to subvert the constitution and government as by law established—meeting and conspiring to assassinate and murder divers of the Privy Council of the King—maliciously and traitorously providing large quantities of arms and weapons, in order to arm themselves and others, for the purpose of raising and levying war against the King—meeting and conspiring to seize divers cannon, warlike weapons, arms, and ammunition, in order to arm themselves and others, for the purpose of raising and levying war against the

King—meeting and conspiring to burn and destroy divers houses and buildings in and near London, and divers barracks used for the reception and residence of the soldiers, troops, and forces of the King, and to prepare combustibles for the purpose of burning and destroying the said houses, buildings, and barracks—and further, the actual assembling in arms with intent to assassinate, kill, and murder divers of the Privy Council of the King employed in the administration of the affairs and government of this kingdom, and to levy war against the King. These, Gentlemen, are the facts charged in the indictment as the overt acts, as they are technically called, that is, as the evidence of the intention, and the steps and measures adopted in order to carry that intention into effect; to these acts therefore, Gentlemen, the evidence that has been laid before you has been directed, and if these acts are proved to your satisfaction, or any important part of them, it will be for you then, to consider, whether the criminal and traitorous intention charged to depose the King, or to levy war against him, is satisfactorily proved, and if so, as each is Treason, it is not material to distinguish between them.

Now, Gentlemen, you have heard in this evidence, of a very extraordinary (I may say for the present,) project, alledged to have been intended by this person now at the bar, and others associating with him; a project, as it is said, to take away the lives of all the persons most confidentially employed in the administration of the government of this realm by his Majesty, when they should be assembled at a dinner, and to proceed, part of them at the same time, and others immediately afterwards, to set on fire buildings in various parts of the town, to seize some pieces of artillery, to take possession of the Mansion-house, and to declare that a new government was established; thereby to overthrow the existing government and the subsisting order of things, and to substitute something else in its place. This is the general nature of the project imputed to the prisoner at the bar; it is important for you to consider whether that project is, in any way, made

out to your satisfaction, the question is, not whether it was likely to be successful, but whether it has been intended by these persons, and whether steps were taken to carry it into effect; the improbability of the success of such a scheme is fit matter for your consideration in weighing the evidence that is laid before you, in order to prove the scheme did exist; but your enquiry is, did that scheme exist or did it not? and is it proved to your satisfaction by the evidence that has been laid before you?

A very large body of evidence, Gentlemen, has been laid before you, in order to prove, that such a project, however wild and visionary, was in fact contrived, and steps taken to carry it into effect by the prisoner and others. Some witnesses have given you minute details of various conversations taking place at various times, and in weighing the effect of that testimony, it seems to me that you will do well to consider, rather the general substance and import, than the precise accuracy of every particular expression that may have fallen from any one witness, a long detail will hardly ever be free from some occasional error or mistake; the question is, not properly whether there be any trifling error or mistake, but whether the substance and body of the testimony laid before you, be or be not true in your judgment.

Some of the persons who have been called before you to give evidence upon this occasion, are represented, and truly represented, to be persons who acknowledge themselves to be accomplices in this most traitorous design—that observation, however, does not apply to all who have called before you to give evidence of these things; and much observation has been made to you, Gentlemen, upon the credit that ought to be given to persons in that situation. Upon that subject, Gentlemen, I will only say, that by the law of this, and I believe of every other country, accomplices are witnesses competent to be heard: the credit that is to be given to them, is matter, in this country, for the consideration of Gentlemen in your situation; and that credit must depend, in a great degree, on the probability of the story they tell, or on the confir-

mation that may be given to them from other and pure sources, so far as what they say is capable of confirmation, and upon the absence of that contradiction which may be adduced if the story related be not true:—there is no rule of law which says that the testimony of accomplices must be credited;—there is no rule of law, or of practice, that has said it must be rejected:—to say it must be, would leave open the greatest possible latitude to crimes; because, as was truly observed by one of the learned counsel for the prosecution, if bad men once come to understand they are in no danger of being brought to justice from disclosures made by those who participate in their crime, they will trust to this and proceed in their wicked designs; whereas we know bad men entertain great distrust of each other, which often prevents the commission of offences which cannot be committed without the concurrence of several persons.

Gentlemen, having made these general observations to you, in order to direct your attention, in the best way that I am able, to the evidence that has been laid before you, I will now, as it is some hours since the evidence was distinctly heard by you, proceed to read a great part, if not the whole evidence; so much as occurs to me as necessary to submit to your consideration, and more if you desire it.

Now, Gentlemen, the first witness called before you was Robert Adams, on whom so much remark has been made by the learned counsel on one side and the other. According to his account, he must be considered as an accomplice in the treasonable conspiracy, if any treasonable conspiracy existed, because he acknowledges that he attended many meetings, and was one of those who were assembled to carry it into effect. The account he gives of himself is, that he is a shoemaker; that he formerly belonged to the Royal Regiment of Horse Guards; that he has has left that service eighteen years; that he first became acquainted with Brunt, one of the persons indicted, about the year 1816, at Cambray, in

France; that his first introduction to the prisoner Thistlewood, was on the 13th of January, at his own lodgings in Stanhope Street, Clare Market; he says, "I was introduced by Brunt, who, in going into the room, said to Thistlewood, this is the man I was speaking to you about; Thistlewood said, 'You were once in the Life Guards,' I said no, I had belonged to the Blues; he said, 'I suppose you are a good soldier,' I replied that I could use a sword to defend myself, but I was not so clever as I had been, not having been in the habit of using arms for some time." Then he says that Mr. Thistlewood began to allude to the genteel people of the country, endeavouring to make them appear mean and contemptible; saying, that there was not one of them who was worth so small a sum as ten pounds—that was worth any thing for the good of his country: as to the shopkeepers of London, he said they were a set of aristocrats, and were all working under one system of government; that he should glory to see the day that all the shops were shut up and plundered; that Mr. Hunt was a damned coward and no friend to the people, and he had no doubt, acted as a spy for government; that Mr. Cobbett, with all his writings, was of no good to the country, and he had no doubt that he too was a spy as well as Mr. Hunt; he believes that finished the discourse. He says, he was afterwards confined for debt in Whitecross Street Prison; that he saw Mr. Thistlewood one Sunday at the White Hart in Brook's Market, a house kept by a person of the name of Hobbs; besides Thistlewood, Ings, Brunt, and and a person of the name of Hall, who is not one of those indicted, were there, and Tidd, who is one of the persons indicted, came in: "we met in a room in the back yard." The witness says that he came out of prison on the 30th of January, that on the 31st he saw Thistlewood the prisoner in a back room on the same floor where Brunt lived, which is in Fox Court, Gray's Inn Lane; Brunt, Ings, and Hall who is not indicted, and Davidson who is, were present; nothing particular took place on that night; that he met them again on the Wednesday evening;

Thistlewood, Brunt, Davidson, Harrison, and a person of the name of Edwards, who is not indicted, were present; nothing particular passed on that occasion, only that he saw a number of pike staves; Thistlewood was anxious to have them ferruled, and expressed himself rather surprised that Bradburn, who is one of the persons indicted, was not come; and Davidson in particular, expressed himself dissatisfied; he said that Bradburn had been supplied with money to buy ferrules for those staves, and he was dissatisfied that they were not done: he says, "the staves were quite green, and appeared as if they had just been cut." The staves have been produced to you, Gentlemen, and from the appearance of them you will probably be able to judge, whether at that time they would not have the appearance described. He does not know that any thing else passed at that meeting; but the meetings continued to be held twice a day in that room, up to the 23rd of February: he says that he heard Brunt say that he had hired a room for Ings; there was no furniture in the room. He says, "One evening afterwards, about ten days before the funeral of his late Majesty, I went up into the room. Thistlewood and Harrison were sitting before the fire; they made room for me, and I sat down between them. Harrison told Thistlewood he had met one of the Life Guards, who told him that as many of the horse and foot as could be spared would be at his Majesty's funeral; that this would be a favourable opportunity to kick up a row, and see what they could do that night, which quite met with the prisoner's approbation; and he thought it would be a good opportunity, and he had no doubt if they could take the two pieces of cannon from Gray's-Inn Lane, and the six pieces from the Artillery Ground, they would, before morning, be able to put themselves in possession of London: that if any communication went to Windsor, the troops would be so tired, when they got to London, they would be able to do nothing. The prisoner said, he thought it might be so arranged, that they could prevent any orderly leaving London for Windsor; that it would also be necessary to get possession of the telegraph over

the water, to prevent any intelligence being conveyed to Woolwich; that by this time they should be able to form a provisional government, who were to send to the sea ports to prevent any gentlemen from leaving this country without a passport from this provisional government. He spoke of Dover, Brighton, Ramsgate, and Margate, especially of Brighton, not that he thought the new king would be able to be there, or even at the funeral of his father, on account of his then illness. He said it was of no use for the new King, speaking of his present Majesty by that name, to think of wearing the crown; that the present family had inherited the crown long enough. Brunt and Ings afterwards came into the room, and Thistlewood communicated to them what had been said. Brunt and Ings heard him, but positively declared that there was nothing short of the assassination which they had in view would satisfy them; from this it must be inferred, if what this witness says is true, that the conversation between these persons was about assassination; and it is further to be observed, that if what this witness states is true, it is clear that that had been talked of at a former meeting, he says, Brunt had told me there were two or three of them had drawn out the plan with a view to assassinate the ministers at the first cabinet dinner which they had: they scarcely ever met but this was the subject of conversation. On Saturday the 19th of February, he says, I went again to the room in Fox Court, about eleven or twelve o'clock in the forenoon; I saw Thistlewood, Davidson, Harrison, Ings, Brunt, and Hall there, on my coming into the room; they were all set round the room in a deep study; in about a minute they all got up, turned round, and said, well then it is agreed—we are come to the determination that if nothing occurs between this and Wednesday night—on next Wednesday night, we will go to work: it was said they were all so poor they could wait no longer. Thistlewood proposed that the committee should meet next morning at nine o'clock, to draw out a plan to go by, and he said to Brunt, you had better go

round this afternoon and acquaint what men you can bring forward, in order to bring them to the committee room to-morrow morning. Brunt said he had some work to do, and he thought he should not have time, but he would get up in the morning and acquaint a few; but that they did not want a great many to be in the room. Brunt was about to leave the room when the prisoner called to him, and said, it would be highly necessary that all who attended the committee the next morning should bring arms with them in case any officers should come up, and Brunt said, if any officer was to come into the room he would run him through: then he proceeds to say, "On Sunday morning I went, a little after eleven, it was so dark, from the fog and the snow, that I did not see who was there till Tidd spoke to me; there were Thistlewood, Brunt, Ings, Hall, Davidson, Harrison, Cook, Bradburn, Edwards, Wilson, and myself there. I found they had not entered on the business upon which they had met. The prisoner, on looking at the number of heads, said, I think it is time to begin the business; counting the heads, and seeing twelve, he said I think that is quite enough to form a committee. Tidd was proposed to take the chair, by Thistlewood. Tidd took the chair, and sat down with a pike in his hand. Thistlewood was on his right, and Brunt on his left hand. Thistlewood began, and said, gentlemen, I presume you all know what you are met here for, and turning to the door, said, the West End Job. Brunt said, mention their names, what signifies; but was called to order by the chairman. Thistlewood said, gentlemen, we are come to this determination, as we are all of us tired of waiting so long, to do this job. As we find there is no probability of the ministers meeting altogether between this and Wednesday night, we are come to a determination to take them separately, at their own houses; we shall not have an opportunity of destroying so many as if they were to dine altogether, if we take them separately; but we must content ourselves with getting two or three, or four, as we can get them. I suppose it will take as many as forty or fifty men to do the West

End Job; and I propose, at the same time, that the two pieces of cannon in Gray's-Inn Lane, and the six pieces of cannon at the Artillery Ground, shall be taken. Cook proposed to take the lead, and to take the command at the taking of those cannon: he proposed, after these were taken, to take the Mansion House as a seat for the provisional government: he says, then they were to make an attempt upon the Bank of England: he says, he proposed further, that Palin should be the man intrusted to set fire to the buildings in different parts of London. This was all that passed on that subject; but Thistlewood said there was time enough, between that and Wednesday night, to settle and improve it; but he would drop the subject for the present, as Brunt had a proposition to make: upon this he says, "Brunt came forward to state his plan; but Thistlewood said, 'Stop, my proposition had better be first put from the chair:' it was put from the chair, and carried unanimously. Brunt now came forward and proposed that they should assassinate as many of the ministers as they could, on Wednesday night, if no opportunity of their dining together occurred before that time: then he further proposed, that the men who should go for the assassination of the ministers should be divided into separate lots, and that one man was to be selected out of each lot to give the blow, and whatever man it fell upon should be bound to do it or be murdered himself. Upon this I asked Brunt if he supposed it was not possible for a man to attempt such a thing and fail in it, and if he did fail, should he be run through upon the spot? He said no, certainly not, unless there was a sign of cowardice: if he failed in doing it, and was thought a good man, he should not be run through. Brunt here ended his discourse. It was put by the chairman in the same manner as Thistlewood's measure, and agreed to. About two minutes afterwards, before any thing else occurred, Palin, Potter, and Strange came in." Palin and Potter are not persons indicted, nor is Cook, who is one of the persons spoken to by this witness as being present. Cook, Potter,

Palin, and Hall, four persons now named, are not included in the indictment, Strange came in also. They were asked to sit down, and Thistlewood told them of plans that had been proposed: they agreed to them the same as the rest had done. After this Palin got up and said, that agreeing as he did to the plans which had been proposed, there was one thing which he wanted to know: there were many objects proposed, and to carry all at one time, if it could be done, would be a great acquisition. "You talk," he says, "of taking from forty to fifty men to the West End Job; now, I want to know where the men are to come from that are to take these cannon in Gray's-Inn Lane, and those at the Artillery Ground: no doubt you know better than me what strength you have got." He says, "I cannot say at present what number I can bring forward. I want to know also," said he, "in calling upon the men I intend to go to, if I can tell them, in fact, what is to be done." He says, "Upon this the chairman said, that no doubt Mr. Palin knew the men he had to depend upon. It was agreed that Palin should make such communications as he might think prudent, and Palin was satisfied. There was nothing transacted regularly in the chair after that; but they began to think of going home to get their dinners, in order, in the afternoon, to go to their men;" and the prisoner said to Brunt, "Oh, well thought of now, Mr. Palin is here, I would advise you to take him to the spot close by, and see whether it is practicable or not." That was to go and see the new Furnival's-Inn building, in Holborn, to see whether it was practicable to fire it; they went, and returned in about about ten minutes, when Palin said it was a very easy job, and it would make a damned good fire; then they began to depart. Now much observation was made to you upon the utter incredibility of this, because being a new building it could not easily be set on fire; according to the appearance in the street it is so, but whether it is completed or not, inside, I do not know. This, however, is most important; it was observed that if it was untrue Palin is a competent witness, that the

prisoner might have called him, and Cook another, who has not been indicted: both of whom are competent witnesses for the prisoner. Neither of them could the crown compel to give evidence, but they might be called by the prisoner, because they would not then be called to affect themselves; and they might have denied, if consistently with truth they could have denied any conversation like that which this man speaks to, he says, "The prisoner said, before they left the room, he thought it would be necessary to get the men together and give them a treat. Brunt turned round, and said with an oath, although he had not got much work, he had a pound note which he would apply to that purpose; and the prisoner then enquired whether they might be taken to the White Hart, that was a place where they had formerly met, but Brunt said he did not much like to go there after what had been said; he said his own room would do, if he could send his boy and apprentice out of the way. Thistlewood then talked of his own house, but on giving it a second thought, he said that will not do, as an officer lives opposite, and if he should perceive men coming backwards and forwards it would give suspicion." He says, "I believe that finishes the Sunday morning business." He says, "On the Sunday evening I went to the White Hart, and had some conversation with Hobbs. On Monday morning I went again to the room about ten o'clock; Thistlewood, Brunt, Harrison, Hall, and Ings were there, and others I do not recollect. I said, I had something to communicate to them, and told them that Hobbs, the landlord of the White Hart, had told me that two officers had been there, and that they asked whether there was not a radical meeting at his house; from which he inferred that there was information given at Lord Sidmouth's office, that there was a meeting of that description held there. Upon this Harrison (to use the expression of the witness) turned round to me like a bull dog, and said, Adams, you have acted wrong, for if you had heard any thing it was your business to come to me or Mr. Thistlewood. I said I did not conceive that I had any right to withhold it from any one; that

I thought it my duty to communicate it to all, as it concerned all. They swore at me again, and said I had no business to communicate it to any, but to them." He says, " I argued with them that I had acted right in communicating to them what I had heard. They then proposed breaking up to call upon their men, and also to attend at a meeting called the Mary-le-bone Union: before we parted, I was appointed to come again to Brunt's room, that evening, to tell any person who came that there was no meeting, they having determined to go themselves, according to the testimony of the witness, to the Union Club." He says, " I went to Brunt's room, and Potter soon joined me. We went to the White Hart, and Palin and Bradburn came there to us. On the Tuesday morning," he says, " I went to the room again: there were then present, Brunt, Thistlewood, Ings, Hall, Davidson, Harrison, Wilson, Palin, Potter, and Bradburn. While there, Edwards came in and went up to Thistlewood and told him there was to be a cabinet dinner next night. Thistlewood said I don't think that is true. A newspaper was sent for, and read by Thistlewood, it contained an account that the cabinet were to dine at Earl Harrowby's, in Grosvenor Square, on Wednesday evening. Then he relates that very terrible expression used by Brunt, which I need not repeat to you, Gentlemen. He says, "Thistlewood proposed then that a committee should sit directly to form a fresh plan regarding the assassination. I interrupted him, and called to their recollection what Hobbs had said to me: upon this Harrison walked backwards and forwards, and said if any man attempted to throw cold water on the concern, he would run that man through with a sword. I was put out of the chair and Tidd was put in. Thistlewood wanted to proceed in the business, when Palin said, stop, I want to be satisfied about what happened yesterday before we proceed any further. Upon this he says, after some ceremony, Brunt proposed that there should be a watch put upon the Earl of Harrowby's house that night. They seem to have considered that if they kept watch there, and saw no police officers or

military go in, or any preparations to prevent their design, they might fairly conclude their design was unknown, if what the witness says is correct. Then he says, "The prisoner, Thistlewood, said he hoped every body would be satisfied if no police officers or soldiers went into the house; and that they would do what they had talked of to-morrow evening: the plan of the Sunday morning was altered as respected the assassination. Thistlewood then proposed that there should be forty men allowed, and more if they could be got; he said there would be fourteen or sixteen of the ministers, which would be a rare haul to murder them all. I propose, he said, going to the door with a note to present to Earl Harrowby; when the door is opened, for the men to rush in and seize the servants, and present a pistol to them, and directly threaten them with death if they offer to make the least resistance or noise. This being done, a party were to rush forwards to take the command of the staircase; two men were to be placed at the stairs leading to the upper part of the house, one was to have fire-arms to be protected by another with a hand-grenade in his hand; a couple of men were to take the head of the stairs leading to the lower part of the house, they were to be armed the same as the others at the upper stairs; if any servants attempted to make any retreat from the lower part of the house, or from the upper part of the house, these men with the hand-grenades were to clap fire to them and fling it in amongst them; two men at the same time were to be placed at the area, one with a blunderbuss, and another with a hand-grenade; if any body attempted to make their retreat from the lower part of the house that way, they were to have a hand-grenade thrown in amongst them there, at the same time all these objects were to be accomplished by securing the house, those men who were to go in for the assassination were to rush in directly after, where their lordships were, and to murder all they found in the room, good or bad, he said if there were any good ones they would murder them for keeping bad company: then he says, "Ings" who is represented to be a butcher,

"volunteered to enter the room first with a brace of pistols, a cutlass, and his knife in his pocket, with a determination, after the two swordsmen, that were appointed to follow him, had dispatched them, to cut every head off that was in the room, and the heads of Lord Castlereagh and Sidmouth he would bring away in a bag, he would provide for the purpose two bags." A circumstance worthy of your notice, because you will bear in mind that there were two empty bags found on the person of Ings when he was taken into custody, he says "he said he intended, when he got into the room, to say—'well, my lords, I have got as good men here as the Manchester Yeomanry, enter citizens, and do your duty.' Upon this word of command from Ings the two swordsmen were to enter, to be followed by the rest of the men with pikes, pistols, cutlasses, or whatever it might be, and to fall to work immediately in murdering them as fast as they could;" he says, "Harrison, who has been a soldier, and I, myself, were picked out, being the only men amongst them used to the sword, and men of the greatest strength and power. Harrison had been a soldier in the Life Guards. On Harrison being proposed to go into the room, Thistlewood asked me if I would go in;" he says, "I considered my life in danger (there had been considerable threatening language if he is to be believed,) and I agreed to go. After the execution was done in the house, they were to leave the house as quickly as possible: Harrison was the man that was appointed to go to King-street Horse-barracks, and to take one of those fire-balls and throw it amongst straw to set fire to the premises; after they left Grosvenor-square, Harrison, Wilson, and the rest of the party were to proceed to Gray's-inn-lane to the City Light Horse-barracks, for the purpose of meeting a party of men that were intended to be planted there, and in case those men found themselves not sufficiently strong to take the two pieces of cannon at the Light Horse barracks, they were to wait their arrival and they would assist them; they were to proceed from thence to the Artillery-ground, where Cook was to be appointed, in order to lend him a

hand in case he had found himself not sufficiently strong to take the six cannon there, Cook was to wait there for the arrival of Thistlewood if he did not like to proceed; he was to bring the cannon from the ground into the street, and to load them in order to be ready to fire on any persons that might interrupt him: but if he found his strength sufficient to enable him to proceed, he was to advance from there to the Mansion-house, if he found himself capable of advancing to the Mansion-house he was to divide the six cannon into two divisions, and take three on one side and three on the other; then he was to demand the Mansion-house, and on a refusal he was to fire at it on both sides, it was thought on doing that they would soon give it up—the provisional government was to sit there: after the Mansion-house was taken the Bank of England was to be the next place to be attacked, they were to plunder it of all they could get, but not to destroy the books if they could help it, for they thought by keeping possession of the books, that would enable them to see further into the villany that had, he said, been practised in the country for some years past; the regulation of the further proceedings was to be left till Wednesday, Palin's plan was determined on but the time was not then settled. After the chair was left, Harrison proposed that there should be a counter-sign to be communicated to all their friends, the counter-sign was But-ton, the man that came up was to say, *b, u, t*, the other man was to say, *t, o, n*, these put together were to produce Button, this was a token by which they were to know each other; " he says," it was proposed that a man should stand at the end of Oxford-road to communicate to any man that came up to him the room where they were to meet the next night. In the afternoon I went to the house again, in going up stairs, I perceived a strange smell, on going in I found Edwards, Ings, and Hall there, Edwards was making fuses to put to the hand-grenades, Ings was dipping some rope yarn, picked for the purpose, into stuff to make, what they termed, illumination balls for Palin; Hall was dipping

those into an iron pot and putting sheets of paper on the floor to receive these, after they came from the pot they were wrapped up in it to prevent their sticking to the hands, I stopped only a few minutes. On the same Tuesday evening, I went again, and then found two strange men I had never seen—one I found to be Harris but I do not know the name of the other; Brunt and Thistlewood were there, Davidson went to keep watch at six o'clock; Tidd and Brunt went off to relieve him at nine o'clock, they started about half past eight, but Brunt returned in about five minutes, as Tidd had met with a man who was likely to be of great consequence and could not go. On looking round the room he asked me to go, as we went we met Edwards, I asked him if any thing particular had been seen, he said, whatever had been seen he should communicate to Mr. Thistlewood; Brunt and me went to Grosvenor-square, we saw Davidson in the square and another man that I did not know, he says, I told Brunt I was tired, and we went to a public-house at the corner of the mews where we had some porter, and where Brunt played at dominos with a young man, and we staid there till eleven o'clock, and then we went out and walked till twelve o'clock, and then we went home. On Wednesday, the next day, I went again to Fox-court and I found Brunt in his own room, Strange came in alone, and soon after two more persons, I turned my head and saw some pistols upon the drawers, Strange and the men that came in tried the flints; Brunt then invited them into the back room, on going there, I saw several cutlasses, a blunderbuss, the pistols were brought in and the strangers began to put flints into them, they had not been long there before Thistlewood, Ings, and Hall came in; Thistlewood looked round and said, 'well, my lads, this now looks something like, as if there was something going to be done.' I complained of being in low spirits, and Brunt sent out for some gin and some beer, while the beer was being fetched, Thistlewood said he wanted some paper to write some bills on, such as newspapers were printed on, I said, I thought cartridge paper would do as well, and he, that is

Thistlewood, then said who will fetch it? Brunt said my boy, or apprentice, shall fetch it; Thistlewood gave Brunt a shilling to send for the paper, half a dozen sheets were brought and Thistlewood sat down at a table to write three bills to stick up against the buildings that might be set on fire, the words, as the witness recollects them, were these: "Your tyrants are destroyed, the friends of liberty are called upon to come forward, as the provisional government is now sitting. James Ings, Secretary, 23d February 1820." In writing the last bill, I perceived Mr. Thistlewood to be extremely agitated, so much so that he could hardly write, he said he was very tired and did not know what was the matter with him, but he could not write any more, he then proposed that Hall should take the pen, but Hall objected, another person, a stranger afterwards took the pen and sat down to write what Thistlewood dictated to him, what became of the papers he does not know. He was then questioned as to what was contained in that paper, some doubt being entertained on the part of the Judges whether or no, it was evidence to be received under the particular circumstances not having been seen in the hands of the prisoner, the Solicitor General said, very properly, he should not press the contents of that paper, and therefore we have no account of it, he says, while this paper was writing, Ings was preparing himself in the manner he was to enter the room at Lord Harrowby's, he put a black belt round his waist for a brace of pistols, and another black belt across his shoulder; after this there was a bag hung to each shoulder, in the form of a soldier's haversack; he then placed a brace of pistols one on each side, and a cutlass; he viewed himself, and said with an oath, I am not complete now, I have forgot my steel; and pulled out a large knife, and brandished it about as if he were in the act of cutting off the heads he intended. He said he intended to cut off two, and bring them away, together with one hand of my Lord Castlereagh, which might at a future day be thought a good deal of;—these expressions he had used many times. The witness described the knife; it was a large bladed knife

from ten to twelve inches long; the handle was bound with wax-end." Such a knife you will bear in mind was afterwards seized in the stable from one of the persons there who appears to have been Ings; he says, "while this was passing, the others were arming themselves. The first persons who left the room went about four or five. Palin came in about an hour before I left, and Thistlewood and Brunt on some business left the room, and then Palin said, "Gentlemen, I hope all that have met here this afternoon, are well acquainted with what you are going upon; in the first place you ought to think within yourselves, whether you are going to do your country a service or not; you ought to think whether this assassination will be countenanced by your country. If you conceive that the assassination will be countenanced by your country, and that the people of the country, after you have done it, will turn of your side; every man that flinches from his duty, or turns out a coward, ought to be run through—unless you come to this determination it is impossible to do any good." He says then a man, whose name I do not know, interrupted him. Thistlewood and Brunt had not then come in; the tall man said, "You seem to speak as if every man were in possession of what we are going upon; if we turn out with a view to serve our country, I am not afraid of my life, and he who is afraid of his life, ought to have nothing to do with an affair like this." Brunt came in after this, and perceiving an alteration in the countenance of the meeting, he wished to know the cause; he was told there were some in the room who wished to know further of the plan. Upon this Brunt said, this is not the place to tell them that; they should go with him to the room in Edgware Road, and there every one should be apprized of what they intended to do. He says, "I left the room first, and Strange and three or four others, that I do not know, went out afterwards. It was agreed they should walk two and two, in order to avoid suspicion." Then he gives an account of his going up Holborn, and that he was tapped on the shoulder. He says, in this room there was a cupboard, in which there were

swords, hand-grenades, and flannel-bags, for cartridges for the cannon—all the ammunition was not at Brunt's, but at what they called the depôt, which was at Tidd's house, who lived in the next room to myself. When I set off from Brunt's, I had a blunderbuss under my great coat, and Brunt gave me a broomstick, which was prepared to receive a bayonet, to carry. Among other arms at the depôt were some pikes, some of them old files, and some of them old bayonet points; he says, that a man came up and told him to slacken his pace, as Brunt was gone back for something; he did so and went on to the end of Oxford-street: it seems he did not know this room in Cato-street; he was tired of staying, and was on his way back and he met Brunt, then he returned back with Brunt and went along the Edgware-road with him until they met Thistlewood, who took them to Cato-street: he says, " when I got to the stable-door Harrison came up and told me to go in, and I did so, I then saw Davidson sitting down and Wilson standing as if they were doing something to the pikes; I cannot say the number of persons there then, but at the conclusion there were, according to Thistlewood's account, eighteen above and two below; there was a carpenter's bench with arms of different descriptions on it, and there was a chest by the window where I placed myself; when I went in they were handling the different things, " Tidd came in and proposed going to the square to see whether the Ministers were getting together; Thistlewood was absent for some time, and when he came back I heard, below stairs, a great deal of talking, in consequence of that I went down where I found Thistlewood, Brunt, Davidson, Harrison, and Wilson, on seeing me they said the carriages are getting there as fast as they can, no less than six or seven are already there: Brunt turned round and said, what a haul we shall have among them. After this I went up stairs, Thistlewood was much agitated, and Tidd came in a very little afterwards, Ings turned round and said, do not think of dropping it now, if you do, I shall hang myself; it was said Tidd would not come, Thistlewood said he would forfeit his existence

if Tidd did not come, afterwards he came. Thistlewood hoped they would not give up what they had begun, if they did it would turn out another Despard's job," alluding to the case of a person of that name, of which you have heard; he says, " Thistlewood then began to count the number of men that were there, and said altogether there were twenty, and that that was plenty; he said fourteen would be sufficient to go into the room, and the other six would be sufficient to take care of the servants; on this fourteen men were picked out, and Brunt produced a bottle of gin which was handed round, Thistlewood said the number is sufficient; supposing Lord Harrowby should have sixteen servants, they are not prepared, we are. We can do what we have to do in ten minutes. Almost directly afterwards we heard a noise at the bottom of the ladder leading up to the loft." He says, " Thistlewood upon this took the candle, and looked towards the bottom of the bench." He says, " He turned round and put the candle at the bottom of the bench quite confused; at this instant the officers ascended the ladder, and took command of the room; two stood at the top of the ladder and presented two pistols, and said,—Holla! is any body in the room? here is a pretty nest of you. We have got a warrant to arrest you all, and as such we hope you will go peaceably —One of the officers who was then upon the ladder said, Make way, let me come forward—a group then got into the inner room, and I saw an arm rush suddenly forward, and at the same time I saw a pistol fired; as soon as the pistol was fired, the candle was put out, and it was impossible for me to see what passed. On this it was given out that one of the officers was murdered, and I got away and went home. I was apprehended on the Friday following, and have been in custody ever since." He was desired to look at the persons at the bar, many of whom he recognized. The person of Strange he did not recollect; whether any alteration of dress prevented it, I am not able to say. An observation has been made upon what the witness says were the words used by the officers, namely, we have got a warrant to arrest you, and we hope

you will go peaceably; and it is said, that the officers did not say that they said that they had a warrant, but they observed that they were officers, and desired that the arms might be seized, or that they should surrender; certainly the expressions are much of the same import, but which is the correct one it is impossible to say.

The witness was then cross-examined, and he was asked what had carried him to this meeting; and he made use of an expression which was very improper, and ought not to have been used in this place, he answered, "My legs." He says further, "I went there under the pretension of assassinating his Majesty's ministers to every outward appearance, but my inward intention was entirely against it. I had attended many meetings at which this plan was debated, and was chairman of one. Fear, (he says) kept me to it. After leaving the army I went to Cambray, to follow my trade as a shoemaker, and there became acquainted with Tidd. I carried between thirty and forty pounds with me, it was my own. Brunt introduced me to Thistlewood, for the purpose of assassinating the ministers;—this was proposed to me by Brunt, before I ever saw Thistlewood; and I consented to be introduced to Thistlewood for that purpose.' The first account I ever gave of what had passed was on the Saturday after; I did not give it under any understanding that I was to become a witness—my conscience accused me, I had acted wrong, and I made a vow that if God would spare me, I would make a disclosure of all I knew." Then he is asked, whether it was not because he would not like to be hanged that he disclosed this? to which his answer is, "I do not know who would." He says, "I had some of these feelings before I entered the room in Cato Street; but after I entered the room, and after the murder of Smithers was committed, I was worse." Now, Gentlemen, you will judge whether the picture which this witness exhibits of himself, is not perhaps the natural picture of the mind of a bad man, engaged as he was in a very bad design, fearful of his own accomplices, afraid to go on, and afraid to recede, equally apprehensive of one and the other, irre-

solute and undetermined whether he should make any disclosure till he was in custody; at which time it was necessary instantly to make a disclosure, which he says he did, without any promise of any reward. He says, "The greatest number of persons that I ever saw assembled together was on the 20th of February, in the morning; there were about fifteen, all poor men for what I know." The prisoner, he says, gave money to Hall to fetch the newspaper. "The largest sum of money I ever saw was six shillings produced by Thistlewood to Brunt. I do not know where the men were to come from that were to do all this mischief." Then he was asked, you provided powder for the cannon, but you had no balls. Upon which he says, it was proposed to take a sledge hammer along with them, and knock off the tops of the iron railings, that they would do greater mischief than cannon-ball.—He says that the prisoner said this. He says, "I do not know what is become of Edwards; I have not seen him since the 22nd of February. I have seen him as active as the rest of them." Then some questions were put to him as if importing that his was the hand that held the sword by which Smithers died. He says, "I was at the end of the room, under the Bench next Cato Street, four or five feet off, I saw the arm that extended from the door."

Upon re-examination he says, "The army was at Cambray when I was there, and I was carrying on my trade with the English soldiers there." This, Gentlemen, is the whole of the testimony given to you by this witness, Adams; and if this be true in substance and general effect, it does prove, not merely an intention to assassinate the several persons engaged in the government of the country, but shews also that that was only a part of a further and more extensive plan;—part of a plan to seize the cannon, take possession of the Mansion House, and establish a provisional government there, upon the vain expectation that if once such a blow could be struck, there were many people in the metropolis ready to hoist the standard of rebellion;—this hope will, I trust, always be disappointed, who ever shall at any time entertain it;—it however seems to

have been entertained, if we are to believe this witness. It is observed, that he mentions, several times, a person of the name of Edwards, whose name is in the list of witnesses; why he is not called it is not for me to say; those who conduct this case on the part of the prosecution probably have their reasons for not laying before you further or other evidence than they have laid before you. Whether he is willing to be examined we do not know, probably he is; can you then conclude because he is not, that all that is said by Adams is untrue? It is for you to judge. The observation, I am sorry to say, on the absence of witnesses, presses with greater force on the prisoner; because there are three or four persons present at conversations mentioned by this witness, either of whom would be a competent witness to contradict Adams. With respect to the character of Adams, except so far as he implicates himself—except by his own account, no other objection is made, no witness is called to say any thing against him, either as to his former life or conversation; nothing appears against him before you, except the part he took in this transaction.

Gentlemen, another witness who speaks to the designs of these persons is a witness of the name of Hiden, who certainly is a man of a very different character and description from the witness Adams; he is not to be considered as an accomplice, nay, according to the account he has given, the truth of which it seems is admitted, there is no doubt he does not labour under any imputation; because he disclosed what he knew early enough to have prevented the accomplishment of the object.

I will now, Gentlemen, read to you the evidence of Thomas Hiden. He says, "I have been a cow-keeper, I had seen Wilson formerly at a shoemaker's club; a few days before the 23d of February I met him in the street, and he asked me if I would be one of a party to destroy his Majesty's ministers at a cabinet dinner; that all things were ready—that they had such things as hand-grenades." He said, "they depended on my being made one of them,

and that Mr. Thistlewood would be glad to see me; he told me the hand-grenades were to be lighted with fuses, and to be put under the table, and all that escaped the explosion were to die by the edge of the sword, or some other weapon." Then he says, "That Wilson told him that they were to light up some fires by way of keeping the town in confusion for a few days; and it would become a general thing." He mentioned several houses, as some that they meant to set fire to. He says, "I told him that I would do it. I believe this was four or five days before the discovery at Cato Street. I went to Lord Harrowby's the day before the discovery; I followed his Lordship to the Park, and gave him a note with information. I saw Wilson again, between four and five in the afternoon, in Manchester Street, Manchester Square; he called me, and told me there was to be a cabinet dinner that night at Lord Harrowby's, in Grosvenor Square. He told me I was to go up to Cato Street, to a public-house by the sign of the Horse and Groom, and there I was to go in—it is the corner of Cato Street—or I was to stop at the corner till I was shoved into a stable close by; I asked at what time, and he said by six o'clock. I asked him how many there were to be there, and he said about twenty or thirty. I asked him whether there were going to be any others in other places? and he said there was to be another party in the Borough; another in Gray's-Inn Lane; one in Gee's Court, or in the City; I cannot be certain which. He said that all Gee's Court were in it, but they would not act unless the English were in it first; because they had been deceived so often. I understood they were Irish people, who lived in Gee's Court; it is in Oxford Street, opposite Saint George's Market. He said a gentleman's servant had been supporting some of the party, and would give them more money if they would act upon the subject. He asked me if I had a gun, and I told him I had a rubbishing one; that the lock was at a gunsmith's to repair: he said they would provide me with a gun and something to work it with." Then he goes on to say, "Wilson further told me there were two pieces

of cannon in Gray's-Inn Lane that they could get at very easily by breaking in some small doors; that there were four pieces of cannon at some Artillery Ground, which they could easily get by killing a centinel." He says, "After doing the grand thing in the Square, Wilson said they were to retreat and meet somewhere in the neighbourhood of the Mansion House: he told me to be sure and come to my time, or else the grand thing would be done before I came." Upon this he says, "I went to John Street about seven o'clock; when I got to the gateway into Cato Street; at the corner of the Horse and Groom, I saw Wilson, and Davidson the man of color. Davidson said I was behind my time: he asked me if I would go in, that Mr. Thistlewood was there. I told him I could not go in, as I had to go for some cream. I asked him what time they should leave there: he said about eight o'clock. He told me if I was not there before they were gone, I was to follow them to Grosvenor Square, and I should find them at the fourth house from the corner of Grosvenor Square, on the bottom side next Church Street."

On his cross-examination, he says it was four or five days before the 23rd of February, that he had this first conversation with Wilson: he had known him seven or eight months before. He says he cannot say from his memory on what day he gave the note to Lord Harrowby. He says, "When Wilson told me of the plan, it was as we walked up and down Manchester Street; then a letter is shewn to the witness, addressed to Lord Castlereagh, which he says is his writing; it is the letter he gave to Lord Harrowby, as he could not see Lord Castlereagh, to whom it was addressed, informing him of a plot to destroy his Majesty's ministers. Now, Gentlemen, this witness, Hiden, you see, is entirely free from all impeachment either by any testimony against him, or his own conduct; and his own conduct, so far from impeaching him, is highly creditable. He says Wilson informed him of taking these cannon in Gray's-Inn Lane, going to

the Artillery Ground, and then to the Mansion House, mentioning those matters shorter than Adams did. Gentlemen, whatever is said by any one person upon the subject of a conspiracy in which they are satisfactorily shewn to have been all engaged, is to be received not only against the person who utters it, but against all who have been concerned in it; you will consider, therefore, what the effect of this evidence is, whether this is not a strong confirmation of the more detailed story that has been given by Adams.

The next witness called to you, Gentlemen, to give an account of their designs, is Monument, who is certainly an accomplice not of so long standing as Adams; but he must be taken to have consented to the scheme so far as related to the assassination of his Majesty's ministers. He says, " I am a shoemaker, and lived in Garden Court, Baldwin's Gardens, near Brook's Market. I am now a prisoner in the Tower. I remember meeting Thistlewood, at a person's of the name of Ford, a few days before the meeting in Finsbury Market; that is about two months before the 23rd of February; he afterwards called on me with Brunt, and he said, after a few minutes, that he wished to speak to me, and I went outside the door with him; and he said to me great events are at hand, the people are every where anxious for a change; I have been promised support by a great many men who have deceived me, but now I have got men who will stand by me. He then asked me whether I had any arms; I said no, I had not. He said every man ought to be armed now: he said all of them had got some arms; some had got a sabre, some had got a pike, and some a pistol: he said I might buy a pistol for four or five shillings; I told him I had no money to buy pistols, I was too poor to do any thing of the kind: he said he would see what could be done; he says about two or three days after this Brunt called on him, but nothing particular passed. Brunt said he was rather in a hurry. Then he says, on Tuesday, the 22d of February, Brunt called again, accompanied by Tidd, he told me in explaining the cause of his absence, that the king's death

had made an alteration in their plans necessary: what they were I should know at the meeting that was to be held the night after, at Tyburn Turnpike; that if I saw any people about them, I was to go to them and say *b, u, t*, and if they were friends they would answer, *t, o, n*, that he should call on me the following morning and tell me more particulars. The next day, Wednesday, Brunt called again, between four and five o'clock in the afternoon, and asked me whether I was ready to go with him; I told him my work would not be done before six o'clock: he then said, I must go to the person whom he had brought with him the day before, whose name was Tidd, and that he lived in Hole-in-the-wall Passage, Brook's Market. I went there, about half past six o'clock, and found Tidd at home: he said that several men that had promised to come, had not been so good as their word, and that he should not wait longer than seven o'clock. At seven o'clock he went to a corner of the room, and took out of a trunk a large pistol, and put it in a belt he had round his body: he then took about six or eight pikes, about a foot long, which he wrapped in brown paper; and he took a staff about four feet long, with a hole in one end of it. We went through Brook Street into Holborn, from thence up Oxford Street. While I was in the room I asked him where we were going to: he said to a room in the Mews, in John Street, Edgware Road. As we were going along he gave me the pike staff: I asked him whether we were going to the House of Commons: he said no, there were too many soldiers about there. I then asked him where it was we were going to, and at last he said Grosvenor Square; that there was a cabinet dinner there that evening; he did not say at whose house. We went on to Cato Street, in the Edgware Road; when we got there underneath the archway leading to it, I saw two men whom Tidd seemed to know; he was a little before, and spoke to them. After stopping with them a few moments in the street, we went into the stable; we went up the steps where we found, I think, about twenty-four or twenty-five men; but I had not been there above

two or three minutes, when some person asked how many there were, and proposed to count them; but Mr. Thistlewood said, there was no occasion, for there were five-and-twenty. There was a tall thin man, with a brown great coat, sitting on one side of a carpenter's bench, with two belts on, and I think a sword by his side, who was speaking of the impropriety of going with so small a number as five-and-twenty men to Lord Harrowby's. He says, upon this Thistlewood the prisoner said, the number was quite enough, for he only wanted fourteen men to go into the room, and supposing Lord Harrowby had sixteen men servants, still that number was sufficient. The man in the brown coat said, after the business is done, and we come out, most likely there will be a crowd round the door, how are we to make our escape. Upon which Thistlewood said, you know the largest body is already gone, this is the smallest part; upon which Davidson said to this man it was not right in him to throw cold water upon their proceedings; if he was afraid of his life he might go, and they would do without him. Brunt said, sooner than they would give up the business he would go into the house alone and blow them up, if he perished along with them; and he said, for you know, we have got that which can do it, or words to that effect. Then the man in the brown coat said, that though he did not think it right to go himself, still as they were all for it, he would not be against it; and he proposed that all the men in the room should put themselves under the orders of Mr. Thistlewood, upon which Mr Thistlewood said, that every one engaged in that business would have the same honour as himself; and he proposed that the fourteen men who should volunteer to go into the room, should range themselves on the other side of the room, where the firing afterwards came from when the officers came;—about twelve or thirteen did so in the course of a few minutes. Tidd, who was one of the fourteen, was coming out to me to say I might chuse my situation, when Mr. Thistlewood put him back, and said, you all know your places. After this he says Thistlewood was absent

for a few moments; when he returned, he said they had received intelligence that the Duke of Wellington and Lord Sidmouth were arrived at Lord Harrowby's; that is all he recollects until the officers came up, and he was taken into custody.

Upon cross-examination he says, "I never spoke to Thistlewood till I saw him at Mr. Ford's, at Lambeth. I attended the meeting at Finsbury Market, but did not take much notice of what passed. I had no particular acquaintance with the prisoner at that time. I never knew Brunt till Thistlewood brought him to my house. I do not know Edwards at all. Three or four men were in the stable below, and the room was pretty full; the man in the brown coat was not Adams; I have seen Adams at Hicks's Hall and here. I have no recollection at all of seeing him before that I remember seeing Strange in the room; he is rather short, and was standing by the side of me. I can tell nothing about Adams; I did not hear any person make any observation except the man in the brown coat. I was taken into custody in the room. I made no resistance—I had no arms.

Upon re-examination he says, "The room was nearly full when I came; I had been there about a quarter of an hour before the officers came. I knew no one there except Tidd, Brunt, Thistlewood, and Davidson." You recollect Adams said there was great uneasiness upon this meeting, on account of Tidd not arriving till a late hour; Monument confirms him by stating that he and Tidd did not leave Tidd's house till seven o'clock. He says, "There was a candle in the room, I cannot say if there was more than one. There was a great quantity of swords and pistols, and two or three blunderbusses upon the carpenter's bench. Strange was apprehended at the same time with me, there were four in the room when the soldiers came in and took us all into custody." Then he is examined further about Edwards, and he says, "I was with Mr. Thistlewood at Whitehall, being hand-cuffed to him. He told me when I was examined before the Privy Council, I should say Mr. Edwards brought me to the meeting. I

asked how I could tell such a falsehood, when he knew I had never seen the man; he laughed and said, that was of no consequence, for if I was asked what sort of a person he was, I was to say he was a man not much taller than I was, of a sallow complexion and dressed in a brown coat. It seems that Thistlewood then gave him a description of Edwards. This Edwards, Gentlemen, attended at several of the meetings, but it does not appear that he was the proposer of any of the plans that were agitated. Then in answer to a very proper question put by one of you, Gentlemen, he says, "I have not since my apprehension had any conversation whatever with a man of the name of Adams, except speaking a word or two to him, but none concerning this business. We have been separately confined, and I never saw him except when I was taken up as a witness to Hicks's Hall, and when I was brought up here to-day." They were both in custody, and kept separate, I suppose. This man also gives you an account that the scheme was not confined to the dreadful crime of assassination, but was to extend further; the commencement of the conversation with Thistlewood shews it,—"Great events are at hand; the people are every where anxious for a change; I have been promised support by a great many men who have deceived me; but now I have got men who will stand by me."

This is the testimony of that witness, his brother, Thomas, is afterwards called, but I shall not mention his testimony to you at present, but proceed to the testimony of Dwyer, who speaks further to the designs of these persons: this is Thomas Dwyer, of No. 15, Gee's Court, Oxford Street; he says before the 23d of February, I became acquainted with Davidson, I saw him twice on one of those occasions; I became acquainted with Thistlewood, we went together to a public-house, at the end of Molineaux Street, near Cato Street, that was about the 9th, 10th, or 11th of February, either Wednesday, Thursday, or Friday, he said nothing particular to me at that time, he said he was in five or six different revolutions, and that Ireland was in a disturbed state at that time; I am an Irishman, and he said he had a good many of my countrymen. I saw Davidson on the

afternoon of the 22d of February, the next morning a person called on me and I went with him to Fox Court, Gray's Inn Lane, he had a bundle wrapped up in paper; at Fox Court we went into the back room : he says, I think he got the key from a woman in the front room, there was an old chair in the room ; he says afterwards, some balls wrapped up with rope yarn were taken out of a cupboard, Harrison said it was a grenade. Thistlewood, Davidson, and a few more came in subsequently, Davidson had a blunderbuss, a pair of pistols, and a bayonet in his side pocket; one or two more came in afterwards, among whom was Brunt. After Davidson had shewn the pistols, he said that he had given twelve shillings for them, Brunt said that he would go out and buy a pair ; Thistlewood said that some of the grenades were to be thrown into the Horse-barracks, and some more of them into Lord Harrowby's to set fire to the House and blow it up ; Thistlewood asked me how many of my countrymen I could muster for half-past eight that evening, I told him six or seven and twenty, he told me they were to assemble at the Horse and Groom, but I was to be at six o'clock at the Pomfret Castle, at the end of Barratt's Court, leading into Wigmore Street, Cavendish Square, that is a house frequented by Irishmen ; I was to take a few of the best of them and go to the Foundling Hospital, knock at the Porter's-lodge, put a pistol to his breast, turn down round the right hand and there were five or six and twenty stand of arms at the next lodge, I was to seize them. At the same time another party were to seize two pieces of cannon that were at the City Volunteer's Riding-school, in Gray's-Inn Lane; he said that there were men that would make a breach in Finsbury, he said that there was to be a cabinet dinner at Lord Harrowby's that day, and that they were to make an attack upon them there ; after this I saw a bundle taken out of the cupboard, it was planted on the floor and a pint pot produced, the bundle contained gunpowder, which was measured with a tin measure into several woollen bags, Harrison did this. After that Thistlewood said there was a dozen of pike handles to be taken to Mary-le-bone, the remainder were to go to Finsbury ; I was asked to take some but I

refused, I had not seen them; I saw the bag of powder that was measured and the grenades were put in it; Harrison directed a person to go to the Horse and Groom in Cato Street with the pike handles; Harrison went away with those things in the bag, the powder in the flannel bags and I think the grenades also; he says, I got home again about twelve o'clock, I told Major James that day, and in consequence of what he said to me I went to the Secretary of State's about one or half past one.

Upon cross-examination, he says, I am a bricklayer by trade. Davidson introduced me to Thistlewood first on the 4th of February, I knew none of the party before, they never having know me before or I them, they opened to me their secrets; I do not know what there was in my character to induce them to trust me, except that I had been in that parish for fifteen years. When I was asked how many men I could get, I said it was a hard thing to inveigle a parcel of innocent men, and I did not know that I could get them, but I agreed to bring the men; he says, I was rather frightened while I was in the room. I was ordered to go to the Foundling Hospital for some arms, but I did not intend to do so, I wanted to get out of the place; I do not know a man of the name of Hucklestone. I was once in this Court on the trial of a woman who had robbed a man of £7. but on no other occasion; I was in Ireland at the time of the rebellion, I was then quite a boy." This is the whole, Gentlemen, of his evidence, if you think his evidence to be correct: here again Thistlewood announces this further plan about seizing the cannon in Gray's-Inn Lane and Finsbury, and the general scheme, and he discovered a great part of those arms, afterwards produced on the table before you. According to his account, he was asked by Harrison to go to this meeting at Fox Court, not knowing what was proposed, when he came there, he agreed to do it, though he had no intention to do so, but he did agree. A witness is called afterwards to impeach his testimony. There are four witnesses to explain to you the designs of these persons, two of them are accomplices, and, in general, none but accomplices will be intimately acquainted with such dark designs;

two others cannot be considered accomplices, but they must be men whom the others supposed to be fit and ready to join in their project, and to whom, therefore, they made a communication, if that communication was made with so little reserve, as it seems to have been done, but still, if you believe the witnesses, the communication was made, and, therefore, they thought they were talking to men who were ready to join them.

A great many other witnesses have been called to confirm the testimony given by these witnesses, but if these witnesses, without further examination of other persons, or any further testimony produced before you, shall be considered as having related the truth, the treason is undoubtedly proved; for their testimony has proved the meetings, consultations and preparations of arms and ammunition for the avowed purpose of assassinating the King's Ministers, and to bring about a change in the government of this country; nothing less than that can be the fair import of any of the discussions deposed to by any one of these four witnesses.

However, by the way of confirmation, they call Eleanor Walker, a servant to Henry Rogers, at No. 4, Fox Court, Gray's-Inn Lane, who proves that Brunt hired a lodging for Ings, which Adams told you was the case.

Then Mrs. Rogers says Brunt took the *rooms for Ings*, he said he hoped he would pay though he knew nothing of him, except seeing him at a public house. Now, that certainly is not correct, because, according to all the testimony, it is clear he had seen and known Ings, if not before that room was taken for him, yet he saw him afterwards.

Then another more important witness is called, who is an apprentice of Brunt: he says, "I remember a person taking the back room two pair of stairs, in Fox Court, Gray's-Inn Lane; that person was Ings; Brunt and he looked at the room together. When they came out of the room, I heard Brunt say to Ings, "it will do, go down, and give them a shilling." After that Ings used to come to the room; he left the key of the room always at Brunt's, when he went out: every evening a number of visitors used to

come to them, among them constantly were Thistlewood, Tidd, Bradburn, Edwards, Hall, Potter, Strange, Adams, and Davidson, the man of colour; and more used to come whose names I do not know:" he says, "I saw no furniture, they used to take chairs out of Brunt's room to sit on; they used to call Thistlewood sometimes *T.* and sometimes *Arthur:* when the door has been open, I have seen long poles like rough branches of trees, about twenty of them were in the room:" he says, "I have heard hammering and sawing. Brunt," he says, "was taken up on Thursday the 24th of February. On the Sunday morning before that, there was a meeting of a larger number than I had seen come before;" all those he before named were there; "after the meeting broke up, Strange remained in my master's room; there was a meeting on the Monday evening, and on Tuesday several persons were in and out in the course of that day. On Wednesday, some came into the workshop,"—that would be the workshop of his master,—"they had got some pistols, and were putting new flints into them; there were five or six pistols. One of the men said, there were people overlooking them, and Brunt told them to go into the back room. Strange and a man whom I did not know were putting in the flints,"—that is a circumstance mentioned to you by Adams, their beginning to put these flints in, and retiring into the back room.—"In the course of the afternoon, Thistlewood asked me for a piece of writing-paper, and took it into the back room: after that my master came out, and ordered me to get six sheets of cartridge paper, and gave me six-pence. I went and bought it, and gave it to my master, who took it into the back room."—Adams tells you there was this conversation, and money was given in order to procure cartridge paper for writing these bills upon.—He says, "this was between four and five o'clock in the afternoon; my master went away about six; a man went away with him who was a stranger. I handed a table from my mistresses room into the back room on that day;"—which it seems had never been done before, and why that should be done on that day, except for the purpose of writing, is not disclosed;—"when my mistress was going to

tea, we wanted the table; I knocked at the door of the back room to get it; a man of the name of Potter opened it, and gave it to me: by the opening of the door, I could see who were in the room: I saw four or five persons in the room: I saw Tidd after my master was gone: at between seven and eight o'clock Mrs. Brunt called him, and he came into her room; she took him to the cupboard, and shewed him a pike head and a sword, and asked him what she should do with them; he took them out of the room, and, I believe, into the back room. Tidd soon after went away, and left word that, if any body called soon, they were to make haste and follow to the White Hart public house. Potter and some others came, and went on there. My master came home about nine o'clock the same night, his dress was dirty, and he seemed confused; he said to his wife, it is all up, and that where he had been a great many officers came in, that he had saved his life, and that was all;" he says, just at this part of his conversation, another man came in, and shook hands with Brunt, and asked him if he knew who had informed; the man said, No: he said he had had a dreadful blow on the side, and was knocked down. Brunt said, there is something more to be done, and he and the man went out together. An observation has been made on that expression, "there is something more to be done yet," as if Brunt knew this scheme of assassination was not the only thing to be done; you will judge whether that observation has that import. Then he says, "after they were gone, Mrs. Brunt and I went into the back room, where we found one of the poles I had seen before, and in the cupboard were several rolls of brown paper with tar in them, some paper twisted up, and some things as big as my two fists, and strings rolled round them, and an iron pot that Brunt had had for some time before. At eleven o'clock my master again returned home, and said he should want me to get up as early in the morning as I could, to clean his boots, they were very dirty; he called me next morning at half past six, and asked me if I knew the Borough, which I did, but not Snow's Fields; then we went into the back room, where I took two baskets by his direction, and we put the things out

of the cupboard into them; he told me they were going to Potter's in Snow's Fields, one of the baskets was tied in a blue apron, which had been put up as a curtain in that room; that he called Ings's room: then he says, "I went into Brunt's room to look for something to tie the other basket in, and two officers came up and took my master into custody: they searched the room, and took the baskets. Tidd lived in Hole-in-the-wall Passage, Brooks' Market, and Adams next door to him. I have been at the lodgings of both.

On cross-examination, he says, Brunt was a journeyman shoemaker but not in very poor circumstances, he had one child; Tidd was a shoemaker living near us, he has a wife, and I believe, children, I don't know if he is a poor man; Adams is a shoemaker also; Ings had the lodgings nearly five weeks. I believe there were meetings every night during that time, the greatest number I remember was on the Sunday morning, about twenty men were there then. I know some of the people I have named; Strange is a bootmaker's shopman; Edwards, who was there very often, is a modeller, he was there oftener than Adams; Hall is a journeyman tailor, and the whole were of that rank in life; the baskets spoken of, were rush baskets, and the materials filled them; there were about twenty branches of trees in a green raw state, I don't know how they came there, there was but one left on the Wednesday morning, there used to be a fire in the room, I do not know if they burnt the poles, but there was one left. This witness, you see, proves this fact beyond all question that this room was taken by Brunt for Ings, and that it was frequented in the evenings and on some mornings by the persons Adams spoke of, and there were hand grenades, pikes, and fire-arms seen.

The next witness is Thomas Smart, who is a watchman in the parish of Saint George, Hanover Square. He says, he was on the watch on the south side of Grosvenor Square, the 22d of February last, his box nearly faces Lord Harrowby's, he went on at eight o'clock, soon after he went on he saw four suspicious looking men walking about the square, two tall and two short, one was a black man, or

nearly so, it was after I called half past eight; I took particular notice of them, they were looking down the areas, and taking notice of the areas. This was intended to confirm what Adams said, that Davidson was on the watch that night. Henry Gillan says he was at a public-house in Charles Street, Grosvenor Square, at the corner of the Mews on Tuesday the 22d of February; he says, "I saw the short man with a brown coat; (*Brunt*) there was a tall man along with him, they had bread and cheese and porter, we played at dominos: I went away before ten and left them there; that is another circumstance to confirm what Adams said, that he and Brunt went that evening on the watch, and that they were at this house where they had bread and cheese and Brunt played at dominos.

Then John Hector Morison is examined, who is a journeyman cutler to Mr. Underwood in Drury Lane, he recollects a sword being brought to him on Christmas Eve by a man dressed like a butcher, (*he points out Ings to be the man,*) he had the sword under his smock frock without a scabbard; he desired to have it well ground with a fine point, he said his name was Eames, or Ings, the sword was ground and he took it away in two or three days: a few days after he brought another for the same purpose, it was a particularly long one; one of the swords afterwards seized, at or near Cato Street, is afterwards identified by him.

Edward Simpson is called, who is corporal-major of the second regiment of life-guards, and knew the prisoner Harrison, who was discharged out of that corps about six years ago. Harrison knew the King Street barracks, five windows of which looked into Glocester Mews, but they were stopped up a few days after the affair in Cato Street." That is only to shew that Harrison, who was the person who was afterwards to proceed to the barracks to throw the fire balls in, he might reasonably be selected for that purpose, as having been stationed there.

John Aldous is called. He says he is a pawnbroker in Berwick Street; he knows the prisoner Davidson from having pledged things at his shop; that on the 23d of

February he came there, and took a brass-barrelled blunderbuss out of pawn.

Then my Lord Harrowby was called; who tells you that Hiden did come to him in the Park, and did deliver to him a letter directed to Lord Castlereagh; that he afterwards appointed to meet him in Hyde Park, and did meet him there. He says, that he himself is one of his Majesty's Privy Council, and is the president of the Council; and he did intend to give a cabinet dinner on the 23d of February. At the cabinet dinners no persons but those who compose what is called the Cabinet are invited; the Cabinet consisting of the principal officers of state. The invitations were sent out in the latter end of the preceding week. Then he gives you the names of the persons who compose the Cabinet, and who were invited upon that occasion; namely, My Lord Chancellor; the Earl of Liverpool, First Lord of the Treasury; Mr. Vansittart, Chancellor of the Exchequer; the Earl of Bathurst, Secretary of State for the Colonial Department; Lord Castlereagh, Secretary of State for the Foreign Department; Lord Sidmouth, Secretary of State for the Home Department; the Earl of Westmoreland, Lord Privy Seal; Lord Melville, First Lord of the Admiralty; the Duke of Wellington, Master General of the Ordnance; Mr. Canning, First Commissioner of the India Board; Mr. Robinson, President of the Board of Trade; Mr. Bathurst, Chancellor of the Duchy of Lancaster; Mr. Wellesley Pole, Master of the Mint; and the Earl of Mulgrave; all of whom, he says, are Privy Councillors, and persons employed in the most important offices in the administration of the executive government. He says, they are in common parlance called his Majesty's ministers. He says, "On the Tuesday before the Wednesday of the intended dinner, I was riding in the Park, about two o'clock, preparatory to my attending a council at Carlton Palace. I had no servant with me. A person addressed me near Grosvenor Gate, and said he had a letter addressed to Lord Castlereagh, which he was desirous to convey to him; it was of considerable importance, and concerned both that noble lord and myself. The letter produced is the letter. The man who was the last witness,

at my desire gave me his address on this card, (which his lordship produced.) He met me by appointment on Wednesday morning in the ring amongst the young plantations in Hyde Park. After this was communicated to me, I did not inform my servants that the dinner was not to take place, but I directed that the preparations should go on as if the dinner was to take place, until I wrote a note from the Earl of Liverpool's to my servant, to my head servant, to say that the cabinet would not dine there, but that the preparation should be going on as if it was intended they should; the party would have assembled if the dinner had taken place, between seven and half-past seven. "He says further, that he had some previous general knowledge, and had some reason to expect, for some time past, that there was some intention of this kind; he does not know, nor has ever seen Edwards, upon whom so much observation has been made."

Then John Baker, the butler, is called; he merely remembers a cabinet dinner being intended to be had at Lord Harrowby's house; on the 23d of February last, the cabinet dinners had been suspended for some time. Cards of invitation were issued to the ministers on the 18th or 19th, that is, the Friday or the Saturday; he says preparations were made for dinner on the Wednesday, as usual, and he did not receive the intimation that his Majesty's ministers would not dine there that day, until eight or ten minutes after eight o'clock. Then he mentions a circumstance which serves to account for what has been said, that they supposed the company had arrived, for he says the Archbishop of York lives near to Lord Harrowby, and there were carriages at his Grace's door about six or seven o'clock: so that persons who were watching at a distance might suppose that these carriages were stopping at Lord Harrowby's; perhaps you may think that may satisfactorily account for what was said at Cato Street, that some of the ministers were come.

Then Thomas Monument says that he is the brother of the witness, John Monument, and he confirms his brother as far as his knowledge extends. He says that Thistlewood

called upon his brother; he brought Brunt with him; after they had come into the room they staid five or ten minutes, when they went out together and remained about two or three minutes, and then returned. Thistlewood and Brunt went away again. He says that on the Tuesday before this affair, Tidd and Brunt called on my brother; my brother said, why Brunt I thought I had lost you, as it is so long since I saw you. Brunt said that the King's death had made a little alteration in their plans; my brother asked what those plans were, and Brunt said they had different objects in view. Brunt then asked my brother to meet him at Tyburn turnpike on the next evening; my brother agreed; Brunt said to Tidd, suppose we give them an outline of the plan. Tidd made no answer. Brunt then told us to be at Tyburn Turnpike at six o'clock; on the Wednesday evening they gave us the pass-word—*b, u, t,*—and if any of their party were there they would answer *t, o, n*. I did not promise to go; they did not press me to go, and I did not go. Brunt called about five for my brother, but we were busy, and my brother could not go at that time. Brunt then told him to call upon Tidd, who lives in the Hole-in-the-Wall Passage. I did not see my brother after.

This, Gentlemen, is the evidence that has been laid before you, as confirmatory of the account given you by the witnesses, Adams, Hiden, Monument, and Dwyer; many of the facts sworn by Adams are sworn to by others; the communications made as to the treasonable purpose are such as no person not affected with it could be likely to be acquainted with.

Then they proceed to call some persons who proves Harrison was seen at this building at Cato Street, that he said he had taken it, and was going to clear it out and obtained some candles; and then they call the several police officers and an officer in the army, Lieutenant Fitzclarence, to give an account of the arrest and apprehension of several of the persons there assembled, and the seizures there made of arms and other things.

Gentlemen, it does not appear, to me, necessary to go through, in detail, the testimony of these witnesses to you,

because it is not material for you to consider by what particular individual a pistol was presented: it is important to observe when the officers came to this place to apprehend the persons, many of them made a most desperate resistance, that is a circumstance deserving your consideration; but a minute detail of what this or that individual did, does not appear necessary to be given to you now, though it was necessary it should be laid before you in the first instance, by the examination of the witnesses. You find them in a stable; a man was seen on the spot, from whom a sword was taken, and a butcher's knife; that knife is the knife supposed to have been taken by Ings; it answers the description given of that knife. Wright was not able to secure Ings, and cannot say he was the person. It is further proved, however, that when Ings was apprehended, he was found to have a haversack slung to each shoulder, a belt buckled round him, and some cartridges, and a knife case. The circumstance of his having these two bags, is observed upon by the Counsel for the Prisoner, and it is suggested they are more fit for plunder, than for such an abominable purpose as Adams said: it is not very material what purpose they were taken for, because he might not chuse to say then that he meant to take the plate, and might say he took the bags for another purpose; but the fact of his having the bags is worthy of your attention as confirming Adams.

Then, Gentlemen, you next have the account of Taunton of the apprehension of Brunt at his lodgings, and of the contents of the two baskets that were found, and this is important for you to attend to that, Taunton says, "I found Brunt in a front room up two pair of stairs, I searched the room and found nothing material: in the back room I found two baskets, one tied up in an apron. Brunt was then in the front room; I asked him as to the baskets, and he said he knew nothing about them." He chuses, therefore, to give an untrue account in that respect, for it is clear by the testimony of the Apprentice that he did know about them, "he said the room did not belong to him: there was a pike staff in the room, and an iron pot with marks of tar at the bottom of it. When I found he denied the apartments I sent for

the landlady, Mrs. Rogers, and asked her who those apartments belonged to? She said, that her niece, Eleanor Walker, had let them to a man she did not know in the presence of Brunt. I asked Brunt who this man was: he said he had met him in a public house, what his name was he did not know." He says "from this place I went to Tidd's in Hole-in-the-Wall Passage, near Gray's-Inn Lane, where I found a very large box full of ball cartridges, 965, and a great quantity of gunpowder, and in a haversack there were 434 balls, 171 ball cartridges, and 69 ball cartridges without powder, with a ball in each cartridge, about three pound of gunpowder in a paper, a coarse canvass bag with ten hand grenades, and eleven flannel bags of powder, one pound each, ten flannel bags empty, a small bag with a powder flask and sixty-eight balls, four flints and twenty-seven pike handles." These are the things found at Tidd's, which Adams tells you was the depôt. Then the baskets found at Brunt's, he says, contained nine papers with rope yarn, and tar, and some steel filings; four grenades, three papers with rope yarn and tar, two flannel bags of powder, one pound each, one paper with some powder in it, one leather bag with sixty three balls in it.

On cross-examination he says "I found all these things on the 24th of February: Brunt was present when I found them. I went to Tidd's about half-past eight o'clock in the morning. Then another Officer is called, and the several things found in Cato Street, and upon the persons who were apprehended there, are produced before you. You saw them, a considerable number of large hand-grenades, several pike-heads, carbines, muskets, pistols, blunderbusses, sticks, and many other things which I need not enumerate.

Then Morison is called, who says "this is the first sword I sharpened for Ings, I know it by a mark on the blade.

Then Edward Hanson, a Serjeant in the Royal Artillery, was called, who took to pieces one of those things, which they call hand-grenades, and explained to you its nature and effect, and described it, as it undoubtedly is, as a very destructive instrument. This one had twelve pieces of iron

in different parts of it, it was intended this should burst, and the different things fly about in all directions, to the great annoyance and probable destruction of the persons near.

Gentlemen, this closed the evidence on the part of the Crown.

On the part of the prisoner, they called Mary Barker, a daughter of Tidd, to whom no questions were put in cross-examination, from a very commendable delicacy, as it appeared to me, on account of her near relationship to one of the prisoners; but you will judge whether her testimony does not confirm that of the witnesses for the Crown. She says, on the 24th of February, the police officers came to her father's, and found a box and other things; it was about half past eight in the morning; they took away some pike-staves they had been brought that morning; but she does not know by whom, whether she was present to see them or not, she does not recollect.—" I know Adams, I had seen him at my father's before; I know Edwards, I had seen him there often. The things were brought that morning. I had seen similar things there before that time; I should have judged them to be the same. Edwards had taken a part of them away; I do not know who took the rest: Edwards took part away on Wednesday; my father took none away. Edwards did not take any box: the box was brought a day or two before my father was taken." There was a box which you will recollect Taunton proved he found there, containing this great quantity of cartridges, powder, and things of that kind; that box—she says, " I do not know who brought the box." According therefore to the testimony of this young woman, this box had been at that house some days before this night when they were apprehended, and things similar to those lying before her she had seen at a former time at that house; that certainly seems rather to confirm than contradict the testimony of the witnesses for the crown.

Then, by the way of beating down the credit of the witness Dwyer, they call before you a person named Edward Huckleston; and he says he has known Dwyer for some years intimately, and he says, " I do not think he is fit to be

believed on his oath." Upon his cross-examination, he says, "I have seen him have money, and, knowing that he was but a bricklayer, and had little or no work, I was surprised. I was in distress; he told me he would put me in the way to make plenty of money if I would go with him. I agreed, and he proposed that we should charge some gentleman with an unnatural offence; that he was to go up first, and then that I was to join him. I left him, quite shocked at the idea. This was about three months ago. He said he had got £70 at a time from one gentleman in St. James's Street, by only catching him by the collar, and accusing him. I met him next night at the Rodney's-head, and he called me a coward. I told him of the danger, and reminded him that his brother had been transported for the same thing. He said his brother did not know so well how to manage as he did: he says, "from that time I have avoided him. I am a shoemaker, but am now articled to a cow doctor, in Newman Mews. I first communicated this to my brother about a week ago. I did not mention it before, lest I might be ill-treated, as I had to go so much about among the cow-keepers. Some of the Irishmen have gone away now, and that induced me to summon up courage to mention it to my brother. When Dwyer made this proposal to me, it was two or three months ago; I did go part of the way with him, but when he told me, I was horror-struck, and got back as soon as I could.

Then Dwyer is called up again, who says that all Huckleston has said is untrue: he says,—"I have seen the man, but did not know his name was Huckleston. I have met him in Oxford Road, not in a public house. I never proposed to him to charge any person with an unnatural offence. In February last, I worked in the parish mill, at Mary-le-bone, and got three shillings a day: I worked there twice in different weeks; I have a wife and children."

On his cross-examination, he says, he did not recognize the last witness on his coming into Court, and say, "Oh, Huckleston;" and it seems that that was a mistake on the part of the learned counsel who examined him; he says, "I did not know his name at all. I have seen him very often;

he resorted to the end of James Street, and I lived in Gee's Court. I never went to a public house with him. I resorted to the Rodney's-head; if I have seen him at the Rodney's-head, it must be some time ago. I have not repeatedly met him in a public house. I don't know that I can swear I never saw him at a public house. I will swear I have not been with him at the Rodney's-head within these three months. I am a bricklayer by trade. I have worked for a Mr. Smith who lives at No. 22, Mortimer Street, Cavendish Square, for thirteen years." You have therefore this witness Huckleston called, you see, to represent to you that Dwyer is not a man entitled to your credit; all that is said by him is contradicted: which tells the truth it is for you to say. You are not merely to reject the testimony of one person because another comes forward and says something derogatory to him. You are to consider which of the two is the person most entitled to your credit. Dwyer, if he has told us the truth, did make a communication. Huckleston admits, though this abominable scheme was communicated to him, he never went to a magistrate; but then, he says he was apprehensive of being ill-treated, because there were many Irish in the neighbourhood.

On the part of the prisoner, then they next called Joseph Doane who says he is called court reporter; he communicates to six newspapers what passes at the court properly so called, which he picks up from time to time as he can. He is shewn the New Times of the 22d of February, containing an announcement of this dinner; he says he cannot speak to whether he wrote that at this distance of time, but from the wording of it, he rather thinks he did not prepare the notice of that cabinet dinner, because it contains the word "grand," which he would not have put in, as he knows the cabinet dinners are always the same.

Then they call Andrew Mitchell, the printer of the New Times; he produces the manuscript of that article; he says, it did not come from Mr. Doane. "I received it from Mr. Lavenue, and this was the manuscript that was used upon this occasion."

John Whitaker, who has searched several papers, says that

the New Times is the only paper which contained an account of the dinner to be given at Lord Harrowby's, and that was in a paper of the 22d February. Gentlemen, how that announcement or advertisement or whatever it may be, found its way into the newspaper, we do not know, and it would be in vain, perhaps, in this, as in many other cases, to endeavour to discover by what accident or means a matter of this nature finds its way into a newspaper. What inference is to be drawn from this testimony, you must judge for yourselves. I confess it does not, in my mind, lead to any satisfactory conclusion one way or the other. The dinner undoubtedly was intended, that is stated by Lord Harrowby and his servant; whether any body had heard of that dinner, and so thought fit to add it to other articles of the same description, or how it got into the paper, we do not know.

This, Gentlemen, is the whole of the evidence that has been laid before you, on the part of the defendant. There are no witnesses called to impeach Adams, Monument, or Hiden. The impeachment of Adams and Monument must rest therefore on the part they acknowledge themselves to have taken in this transaction; and it is for you to judge whether their statement is true. If you are to believe one of these persons, you will consider whether it does not necessarily follow that what the others have told you is substantiated, because Hiden's account, though more cautious, is to the same import and effect as the others. You have had exhibited here before you upon the table, and proved to have been found, a quantity of arms, and other things to the extent that has been mentioned. Now it seems almost to be conceded, upon the evidence that has been laid before you, that the conspiracy to assassinate the King's ministers at that dinner was so substantiated by proof, it could not be expected you should withhold your credit from it. If you are to credit that there was that wicked scheme and project intended, you will further consider whether it is reasonable to suppose that that was all that was intended, you will consider what the probability is. These persons are many of them unconnected, in most respects, with each other, certainly unconnected with the persons who conduct the affairs of his Majesty's govern-

ment; therefore you will consider whether it is not more natural to suppose that those who meditated this assassination, meditated it as part of a plan of a general simultaneous insurrection, which they hoped would result from it, than to suppose that they meditated this and this alone. Whether it was intended to gratify their thirst for human blood, or whether it was a part of an ulterior plan; upon that question it is fit you should attend to the great quantity, as well as to the nature of the weapons, and things of the description which have been produced before you, which certainly are more in number than could be required or used for the purpose merely of that abominable visit and attempt that was to be made on the house of Lord Harrowby. The hand grenades are of that description that might be used there: the fire balls do not seem at all applicable. When you find all these things collected together, and found in the custody of some or other of these persons; some at one place, and some at another, you will take the whole into your serious consideration. If, upon the whole of this evidence, you shall feel satisfied that a conspiracy to levy war against his Majesty, or to depose him, is made out by the evidence laid before you; if your consciences are satisfied of that, you will discharge the painful duty imposed upon you by pronouncing the prisoner guilty. If, upon a due examination of all the circumstances, attending to the observations of the very eloquent Counsel who have addressed you first and last on the part of the prisoners, your minds shall not be satisfied that they did entertain this criminal project which has been mentioned to you, you then will discharge a more pleasant duty, and acquit the prisoner. You will consider the case, and, I have no doubt, your verdict will do justice between the public and the prisoner.

Foreman of the Jury. My Lord, can we have a copy of the indictment?

Lord Chief Justice Abbott. Certainly.

It was handed to the Jury.

The Jury withdrew at a quarter before five, and in five minutes returned into Court to request a copy of the Act of Parliament of the 36th George 3.

Lord Chief Justice Abbott. Gentlemen, the Act of Parliament shall be put into your hands as you desire, but before I do so it is fit I should mention to you, that by its terms it is made to continue during the natural life of our late most gracious Sovereign Lord the King, and until the end of the next Session of Parliament, after a demise of the Crown; it had not, therefore, expired in itself before the present indictment, but by a later act this is made perpetual. I need not give you that, because this had not expired.

A Juryman. If your Lordship will read it, it will be sufficient.

Lord Chief Justice Abbott. Certainly, Gentlemen. The act begins by reciting—" We, your Majesty's dutiful and loyal subjects, the Lords Spiritual and Temporal, and Commons of Great Britain, in this present Parliament assembled, duly considering the daring outrages offered to your Majesty's most sacred person, in your passage to and from your Parliament at the opening of this present Session; and also the continued attempts of evil and wicked disposed persons to disturb the tranquillity of this your Majesty's kingdom, particularly by the multitude of seditious pamphlets and speeches daily printed, published, and dispersed, with unremitted industry, and with a transcendant boldness, in contempt of your Majesty's royal person and dignity, and tending to the overthrow of the Laws, Government, and happy Constitution of these realms, have judged that it is become necessary to provide a further remedy against all such treasonable and seditious practices and attempts. We, therefore, calling to mind the good and wholesome provisions which have at different times been made, by the wisdom of Parliament, for the averting such dangers, and more especially for the security and preservation of the persons of the Sovereigns of these realms, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, that if any person or persons whatsoever, after the day of the passing of this Act, during the natural life of our most

gracious Sovereign Lord the King (whom Almighty God preserve and bless with a long and prosperous reign) and until the end of the next Session of Parliament, after a demise of the Crown, shall, within the realm or without, compass, imagine, invent, devise, or intend death or destruction, or any bodily harm tending to death or destruction, maim, or wounding, imprisonment or restraint of the person of the same, our Sovereign Lord the King, his heirs and successors." Now, Gentlemen, comes the part which forms the subject of one of the counts of the indictment: "or to depose him or them from the style, honor, or kingly name of the Imperial Crown of this realm, or of any other of his Majesty's dominions or countries, or to levy war against his Majesty, his heirs and successors, within this realm, in order, by force or constraint, to compel him or them to change his or their measures or counsels," which is another, "or in order to put any force or constraint upon, or to intimidate or overawe both houses, or either house of Parliament, or to remove or stir any foreigner or stranger, with force, to invade this realm, or any other his Majesty's dominions or countries, under the obeisance of his Majesty, his heirs and successors; and such compassings, imaginations, inventions, devices, or intentions, or any of them shall express, utter, or declare, by publishing any printing or writing, or by any overt act or deed, being legally convicted thereof, upon the oaths of two lawful and creditable witnesses upon trial, or otherwise convicted or attainted by due course of law; then every such person or persons, so as aforesaid offending, shall be deemed declared and adjudged to be a traitor, and traitors, and shall suffer pains of death, and also lose and forfeit, as in cases of High Treason."

If there is any further explanation you require I will give it you; but it seemed, I thought, to be taken for granted by the Counsel on one side and the other, that the project, if proved, was a treasonable conspiracy to depose the King, or to levy war against the King. If they had succeeded so far as to establish a provisional government, the Royal functions would have ceased. Any attempt by numbers, and by force, to compel his Majesty to alter his measures and

counsels, is most undoubtedly a levying of war within this act. An actual rising or insurrection for the redress of any supposed public grievance was always considered as an actual levying of war, under the old statute of Edward the Third.

The Jury again retired, and in a quarter of an hour returned into Court, finding the prisoner GUILTY on the third and fourth counts.

Mr. Shelton. Shall I call the prisoner for judgment, my Lord?

Lord Chief Justice Abbott. No, not now.

Mr. Attorney General. It will be necessary that the Jury should be summoned for Friday morning, as I fear there may have been some misunderstanding.

Lord Chief Justice Abbott. Send notice to the Jury to attend again on Friday morning: the officer shall go round as far as he can.

Foreman of the Jury. Will your Lordship have the goodness to discharge us from attending the ensuing trials?

Mr. Shelton. The Court have not the power to do it.

Lord Chief Justice Abbott. On consulting with the other Judges, we are of opinion, you may be excused from serving on the next trial; we cannot say your attendance shall be excused on future trials.

A Juryman. (Mr. Goodchild.) We have had a very arduous duty to perform, and we shall hardly have time to recover ourselves.

Lord Chief Justice Abbott. We hope something more will be done for you; but you will not be wanted before next Monday, at all events: further than that I cannot say.

Mr. Goodchild. We do not press it further than that, my Lord.

Mr. Justice Richardson. Let it be announced that these trials will go on on Friday morning.

THE TRIAL OF JAMES INGS.

SESSIONS HOUSE, OLD BAILEY,

Friday, 21st April, 1820.

PRESENT,

The Right Honorable Lord Chief Justice DALLAS,
The Right Honorable the Lord Chief Baron.
The Honorable Mr. Justice RICHARDSON.
The Common Serjeant.
And others his Majesty's Justices, &c.

James Ings was set to the bar; and John Thomas Brunt, Richard Tidd, William Davidson, James William Wilson, John Harrison, Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper, were placed at the bar behind.

The Jury panel was called over, commencing with No. 108.

Charles Farmer, Hardwareman, sworn.

Christopher Dowson Ship-builder, challenged by the Prisoner.

William James Farmer, Baker, challenged by the Prisoner.

David Newman, Farmer, challenged by the Crown.

George Smith, Japanner, sworn.

George Thorp, clockcase-maker, challenged by the Crown.

Henry Seaborn, Cooper, excused on account of illness.

Francis Sherborn, Esq. and Farmer, challenged by the Prisoner.

Edward Simpson, Shipwright, challenged by the Prisoner.

William Davies, Shopkeeper, challenged by the Crown.

Richard Franks, Esq. and Silk-mercer, challenged by the Prisoner.

Thomas Langley, Ship-chandler, challenged by the Crown.

George Priest, Esq. challenged by the Prisoner.

Samuel Wilson, Gentleman and Merchant, challenged by the Prisoner.

William Moore, Bricklayer, sworn.

Michael Atkins, Esq. challenged by the Crown.

James Ede, Farmer, sworn.

Alfred Batson, Esq. and Porter-dealer, challenged by the Crown.

George Taylor, Bricklayer, challenged by the Prisoner.

John Woodward, Gentleman, challenged by the Prisoner.

Edward Cherill, Jeweller, challenged by the Prisoner.

John Mayne, Gentleman, challenged by the Prisoner.

David Pain, Esq. challenged by the Prisoner.

Richard Tucker, Cheesemonger, challenged by the Prisoner.

Thomas Beachamp, Farmer, sworn.

Robert Ceeley, Rigger, challenged by the Prisoner.

Thomas Fagg, Esq. and Coachmaster, challenged by the Crown.

Matthew Belcher, Vintner, challenged by the Crown.

Benjamin Watson, Gentleman, challenged by the Prisoner.

George Burrows, Silversmith, fined for non-attendance, the fine afterwards remitted on his appearance, and swearing he had been prevented being in time by indisposition.

Edward Ellis, Gentleman and Stock Broker, challenged by the Prisoner.

Benjamin Blyth, Organ Builder, sworn.

William Clare, Feather-dresser, challenged by the Prisoner.

John Jackson, Glass-cutter, challenged by the Prisoner.

John Beck, Gentleman and Seedsman, sworn.

Felix Booth, Esq. and Distiller, challenged by the Prisoner.

Charles Benham, Market Gardener, challenged by the Crown.

Thomas Robins, Silversmith, challenged by the Crown.

John Ray, Gentleman, excused on account of the indisposition of a child in a dangerous state.

Francis Dorrill, Esq. challenged by the Prisoner.

William Percy, Plasterer, sworn.

John George Holmden, Fuse-cutter, challenged by the Prisoner.

Archibald Ritchey, Stone-mason, challenged by the Crown.

John King, Gentleman, challenged by the Crown.

Charles Elton Prescott, Esq. challenged by the Prisoner.

Benjamin Rogers, Farmer, sworn.

Richard Laycock, Esq. and Cow-keeper, fined for non-attendance.

George Fox, Sawyer, challenged by the Crown.

William Acock, Plumber, challenged by the Crown.

Edward Cuel, Carpenter, challenged by the Crown.

George Golding, Surveyor, challenged by the Prisoner.

Robert Roberts, Oilman, challenged by the Crown.

William Bound, Founder, challenged by the Crown.

Charles Page, Esq. and Merchant, challenged by the Prisoner.

William Cole, Farmer, challenged by the Prisoner.

John Lewis, Watchmaker, challenged by the Crown.

Edward Flower, Esq. and Schoolmaster, challenged by the Prisoner.

John Balm, Gentleman and Tallow-chandler, challenged by the Crown.

John Young, Gentleman and Scalemaker, sworn.

Stafford Price, Gentleman and Currier, challenged by the Prisoner.

James Cary, Joiner, sworn.

William Edgcombe, Joiner, sworn.

The JURY.

Charles Farmer,	John Beck,
George Smith,	William Percy,
William Moore,	Benjamin Rogers,
James Ede,	John Young,
Thomas Beachamp,	James Cary,
Benjamin Blyth,	William Edgecomb.

The Jury were charged with the Prisoner in the usual form.

The Indictment was opened by Mr. Bolland.

Mr. SOLICITOR GENERAL,

May it please your Lordship,

Gentlemen of the Jury,

It is my duty to state this case on the part of the prosecution, and I am sure, knowing whom I now have the honour of addressing, that it is unnecessary for me to request your serious and patient attention to the particulars which I am about to detail; you must feel that you owe it to yourselves; you must feel that you owe it to the public justice of the country; you must feel in a particular manner that you owe it to the prisoner himself who now stands before you for his deliverance.

Gentlemen, there is a circumstance which it is my duty to advert to in justice to the prisoner. I should not have alluded to it if it must not of necessity have already come to your knowledge. I mean to the conviction that has already take place. I entreat and conjure you that you will not suffer that conviction at all to operate upon your minds, to the prejudice of the prisoner who now stands before you. You are to decide upon this case according to the impression which the evidence shall make upon your own minds; and you are not to be influenced by an impression which evidence that has already been heard may have made upon the minds of other men. You are

to come here to the consideration of this question totally divested of all previous prejudices and impressions, and you are to decide this case impartially, according to the evidence as it shall be given upon oath before you against the prisoner at the bar.

Gentlemen, with respect to the law, as applicable to this subject, it will not be necessary for me to trouble you with a single observation. No doubt can be entertained with respect to it. No question has hitherto been raised in the course of these enquiries with respect to the law. The charge against the prisoner at the bar, divested of every thing that is technical, is shortly and simply this; that he has conspired with other men, whose names will be mentioned in the course of these proceedings, to overturn by force and violence the laws and constitution of the country. This, though stated in technical language, upon the record, is the substance of the charge against the prisoner at the bar. The object at which the parties aimed was to be effected by means of an extensive plan of assassination; it was to be effected also by other means to which I shall presently have occasion to direct your attention.

Gentlemen, I feel that in this stage of the prosecution, all that I have to do is, in a plain and simple manner, carefully abstaining from all exaggeration, to state to you the facts that will be detailed in evidence in support of this charge. I shall state them to you as I now know they will be proved, without distorting a single fact or circumstance to the prejudice of the prisoner at the bar. We are all of us interested in the fair and impartial administration of justice; no motives arising out of any particular circumstances can possibly operate upon the mind of a person standing in the situation in which I am now placed to lead him to forget his duty. The fair and impartial and upright administration of justice is that upon which we justly pride ourselves; it is the best gift we have under the laws and constitution of the country.

Gentlemen, the prisoner at the bar, with several other persons whose names I will now mention to you—a

person of the name of Thistlewood, a person of the name of Davidson, another of the name of Brunt, a person of the name of Wilson, and several others who will be mentioned in the course of this enquiry, held, in the early part of the year, secret meetings and consultations at a place known by the name or sign of the White Heart, in Brook's Market. Those consultations were held in a back room in a yard belonging to that public house. I shall not trouble you by stating what took place at those meetings, because, after they had been held in that place for a short period of time, for some reason to which it is unnecessary that I should direct your attention, they left that place, and held their meetings in another situation to which I am now about to advert. One of the prisoners, a man of the name of Brunt, who is a shoe-maker by trade, lived in a place called Fox Court, in Gray's Inn Lane; he occupied two apartments in the front of the house; there was in the back of the house, upon the same floor, another unfurnished room, and that room was hired for the purpose of continuing those meetings which had been formerly held at the White Hart. The prisoner at the bar and Brunt, in conjunction, hired the apartment. This took place about the middle of the month of January, and from that period to Wednesday the 23d of February, to which your attention will often be called in the course of this enquiry, those meetings were held always once, and frequently twice a day, by the persons whom I have mentioned, all of them, except Thistlewood, being persons in humble situations of life, journeymen mechanics—Thistlewood himself being in a more elevated situation, having formerly, I believe, held a commission in his Majesty's service. The object of those meetings was to form a plan for the purpose of overturning the government of the country, and the plan which was formed, which will be proved to you in the most distinct manner by the evidence I shall lay before you, was of this nature: In the first place it was proposed, that when an opportunity offered, all his Majesty's ministers, being assembled at a

cabinet dinner, which is usually held about once a week during the meeting of parliament, they should be assassinated. It was proposed that arms should be provided for that purpose, which I will by and by describe. About thirty or forty persons were considered as sufficient for the accomplishment of this object, and it was arranged that on knocking at the door, under pretence of delivering a letter, a party armed with swords and pistols, and hand-grenades, should rush into the room where those persons were assembled at dinner, and that they should be all destroyed. Another party was to watch the stair-case, to prevent any assistance from the servants; a third, the area, and other persons were to take care that no interruption should occur to the execution of this project from persons without. This, Gentlemen, was a part of the plan. It was thought the blow would create such an impression, in striking off all the first authorities in the country, that it would afford an opportunity for carrying into complete effect the other projects of the conspirators. One of these projects was to set fire to various parts of the town, and a party to be headed by a person of the name of Palin, who was one of the association, was to execute that project. Another object was to take possession of some pieces of cannon stationed in the Artillery Ground. The party to carry into effect that part of the plan was to be headed by a person of the name of Cook; and a fourth party was to take possession of two pieces of artillery stationed in Gray's Inn Lane.

Gentlemen, it is unnecessary for me to state to you that all the persons whose assistance was to be collected on this occasion were not to be let into the whole history and contrivance of this plot. The secret was confined to those who were in the habit of assembling in Fox Court; but they had associates without, who understood that a plan was going on; that something was in preparation to which they were to lend their assistance, when it was ripe for execution, and that when ripe for execution, the particulars were to be communicated to them.

Gentlemen, for the purpose of carrying this into

execution, arms of various description were procured. It is unnecessary for me to particularize the whole of them, but I shall direct your attention to one or two descriptions of weapons. Independently of swords and pistols, and a great number of pikes, there were collected, for this purpose, a number of hand-grenades. These were collected chiefly by one of the prisoners, Davidson: they were formed, each of them, of a tin box filled with about a quarter of a pound of gunpowder, a fuse communicated with the interior; large pieces of iron were placed round the box, and the whole was secured with cord, and afterwards dipped into pitch and tar, and cemented strongly together. Those grenades were intended, in the first instance, to be thrown into the house where the ministers were assembled at dinner; and they were also to be made use of for the purpose of aiding in the further projects which the parties had in view. Another description of instrument, prepared for the occasion, were fire-balls, which were called by them illumination-balls, to be made use of by the party, under the direction of Palin, for setting fire to different buildings in the metropolis. These preparations went on for a considerable period of time. As the instruments of destruction, which I have thus described, were successively prepared, they were brought to the place in Fox Court for inspection, and they were afterwards transferred from that place to what was called the depôt, the lodgings of one of the conspirators, a man of the name of Tidd, who lived in a place called Hole-in-the-Wall Passage, near Brook's Market.

Gentlemen, the plan which had been thus formed, before it was completely matured, and before it was ready for execution, was suspended by the death of the King. In consequence of that event the Cabinet dinners were discontinued, and it became therefore impossible to execute the project at the period when it was originally intended, and you will find these parties were continually expressing their disappointment at the delay. They became at last so impatient, that on Saturday the 19th of February, they determined to consider whether some other plan, if not as

effectual at least to a degree effectual, for the accomplishment of the purpose they had in view, might not be substituted for it; and accordingly they determined, that on the following day, Sunday, in the forenoon, a committee should be appointed for the purpose of considering what measures should be taken, as there was no immediate prospect, as it was then considered of all the ministers meeting together, so as to enable them to carry into effect the enterprize which had been contemplated. On the following day, the Sunday, they accordingly met together, and formed themselves into a committee; and Thistlewood, who undoubtedly was the leader and framer of the whole plan, proposed that as it was probable they might be able to collect about forty men for the purpose of executing what was denominated the West End Job, forty determined persons, calculated for an enterprize of that kind; they should divide themselves into four parties, for the purpose of putting to death, at the same time, four of those who were considered the leading members of the Cabinet. This plan was proposed, considered, and agitated, and at last resolved upon. It was determined that all the rest of the project should be carried into effect, as it had been originally intended; but that instead of striking the blow at all his Majesty's ministers, as circumstances did not permit that to be carried into effect, they would confine themselves with the means they possessed to the taking off four of the leading members of the Cabinet, whose names will be mentioned to you in the course of the evidence. The prisoner at the bar expressed a hope that he should be of the party destined to put to death my Lord Castlereagh, and he exclaimed, "It will not be necessary to draw lots for the purpose of knowing who shall be the individual to put him to death, for I am ready to do that with my own hand." After this resolution was come to, the parties separated, and it was understood, that if on the following Wednesday, which was the day on which the Cabinet dinners were usually given, there should be no opportunity of striking the great blow, then the plan should be carried into effect in the manner I have now

stated. They met again on the Monday, and also on the Tuesday morning.

In the mean time the King's funeral had taken place, and after a proper interval had elapsed, it was considered that those dinners might again be renewed; and in the latter end of the preceding week, either on the Friday or on the Saturday, cards of invitation had been issued by the desire of Lord Harrowby, requesting the attendance of the Cabinet ministers at a dinner to be given at his house, on Wednesday the 23rd. Gentlemen, you are aware that these dinners are usually announced in the public papers, and particularly in the papers which are supposed to be in the interest of Government. The court reporter sent the account of the invitation to the New Times, and it appeared in that paper on the morning of Tuesday the 22nd instant. These parties were assembled on that morning, at their place of rendezvous, in Fox Court. It was mentioned that a dinner was to be held on the following day, and that it was advertised in the newspapers. A newspaper was sent for, the paragraph was read, and the utmost exultation was expressed, and expressed in terms so gross that I do not chuse to repeat them, by the prisoner now at the bar. Every thing was immediately in a bustle, and they determined to go round to their different associates, to get them in readiness, to carry into effect the enterprize on the following night.

Gentlemen, it is proper I should state to you that they did not consider that the room in Fox Court would be a convenient spot, from whence to issue to the execution of their project. They were exposed there to a good deal of observation, and it was at too remote a distance from the spot where the blow was to be struck. In order, therefore, to carry on their purpose with more facility, they had hired premises in an obscure street, called Cato Street, near the Edgware Road; a street through which there is no passage for carriages; premises consisting of a small stable, a cart-house, a loft, and two rooms communicating with the loft, were hired for the purpose of carrying the plot into effect. The place was hired, I

believe, from a person of the name of Firth, by Harrison, one of the parties most active in the conspiracy; and it was determined that on the following evening, about six or seven o'clock, armed in the manner necessary for accomplishing the object, they should assemble at the premises in Cato Street.

Gentlemen, when this project was thus nearly ripe for execution, it was conceived that they might, with the less danger, communicate the particulars of it for the purpose of getting additional assistance; and accordingly a communication upon the subject was made by one of the conspirators, Wilson, to a person of the name of Hiden, a milkman, living in the neighbourhood of Manchester Square. Wilson told him that there was a design to overturn the government of the country: he told him that this was to be effected by means of assassinating his Majesty's ministers, who were to dine on the following day at Lord Harrowby's; and that there were parties who were to take possession of the artillery in Gray's-Inn Lane, and in the city, and another party to set fire to the town, in different parts, for the purpose of producing general confusion and disorder; and as the labouring classes of the people were supposed to be disaffected to the government of the country, that it was hoped a general rising would take place, and that a force would be collected sufficient to set at defiance the remaining authorities of government.

When this communication was made to Hiden, he listened to it with astonishment; and when required to join in it, he immediately assented, because he felt that when such a proposition was made to him by persons capable of forming such a plan, if he should refuse his assent to it, his own personal security would be endangered. He promised, therefore, to meet the parties, said he would bring such accession of force as was in his power, and after this communication was made, he returned to his own home. He then began to reflect seriously upon the nature of this diabolical project; he turned in his mind what course he should pursue, and he immedi-

ately sat down and wrote a letter to my Lord Castlereagh, communicating the particulars of the plan. With this letter he proceeded to St. James's Square, afraid to knock at the door of my Lord Castlereagh, lest he should be observed, but remaining in the neighbourhood for the purpose of seeing his lordship in the street, of delivering to him this letter, and of making the important communication. No opportunity of carrying this design into effect occurred, and he then proceeded from St. James's Square to Grosvenor Square, where my Lord Harrowby resides, for the purpose of endeavouring to make a communication to that nobleman. Fortunately my Lord Harrowby went out to ride unaccompanied by a servant; Hiden stationed himself at Grosvenor Gate, and waited his return. This occurred about two o'clock on the Tuesday. He told his lordship that the letter contained information of a most important nature, and requested his lordship to take care that it should be instantly delivered to Lord Castlereagh. Lord Harrowby asked whether he had given his name and address in the letter; he said he had not, but he immediately delivered a card to his lordship; and the moment this communication was made to Government, of course every step was taken at the police offices for the purpose of counteracting the design, and of securing the conspirators, when they should assemble the next night in Cato Street for the accomplishment of their object.

At about two o'clock on the following day, many of the parties assembled in Fox Court, for the purpose of finally equipping themselves for their expedition, and, among others, the prisoner at the bar. Thistlewood came in, and seeing them thus engaged, used some words of encouragement, and said, "we must write a proclamation." Brunt, who lived in the front room, sent out his boy for some sheets of cartridge paper; six sheets were produced, and Thistlewood sat down and wrote three copies of a proclamation in these terms:—"Your tyrants are no more:—the friends of liberty are requested to come forward, as the provisional government is now sitting.—signed J. Ings, Secretary."—It was intended that these

proclamations should be posted up in the neighbourhood of the places where the fires were lighted, that they might be seen by the persons there assembled, and might add to the general alarm; and, Gentlemen, what would have been the state of the metropolis at that moment, supposing, at the hour nearly of midnight, it had been circulated through this widely extended city, that every one of his Majesty's ministers had been cut off by assassins; that the town was set on fire in different places; and, in addition to all this, that artillery was moving from different points towards the city; and that a provisional government consisting of unknown persons, and therefore perhaps the more terrific and the more alarming; that such a provisional government was actually installed for the purpose of being substituted in lieu of the legitimate government of the empire;—what would have been the state of agitation, alarm, tumult, and disorder in the metropolis, if such a proceeding had taken place.

Gentlemen, after this the prisoner at the bar prepared himself for the purpose of proceeding to the place of rendezvous, with pistols in his belt, a sword, two bags or haversacks over his shoulders, and a knife which he produced to the party, a butcher's knife (for he is by trade a butcher) with the handle wound round with wax end, which he had so secured in order that he might have the firmer hold. He was resolved, he said, to take off the heads of two of the individuals who will be mentioned, and to expose them for the purpose of exciting the people to insurrection. Such, Gentlemen, was the language of the prisoner, miscalculating extremely the feelings of the people of this country, if he supposed they could be excited to insurrection by assassination and murder; for, if any thing were wanting to have deterred them from taking a part in such an enterprise, it would be sufficient that it had been commenced by assassination—by a crime foreign to the character of Englishmen, and which I hope and trust will ever remain alien to their feelings and habits.

Gentlemen, after the prisoner had thus prepared himself, the parties by degrees went off for the purpose of assem-

bling themselves in Cato Street. They met there at about six o'clock. When they arrived, their numbers amounted only to about twenty; fewer than they had calculated upon, for it was supposed that from thirty to forty was the number that would have assembled at that meeting. For some little time, there was a suspicion and a jealousy in the meeting, in consequence of the non-appearance of one of the party, a person of the name of Tidd: they were surprised that he had not come, and became alarmed and agitated. But Brunt, who knew him well, stepped forward at this juncture, and said he would answer for Tidd that he would not forsake the cause. Shortly afterwards, Tidd, accompanied by a person of the name of Monument, whom we shall call as witness, entered the room. Still there were many of the persons present who, looking round, and calculating their force, and at the same time considering the object to which it was to be directed, felt that it was inadequate to the purpose. They betrayed symptoms of uneasiness and doubt. Thistlewood, who saw what was going on, and who was apprehensive the scheme would be abandoned, said they were too far advanced to recede; that if it was now given up, it would be another Despard's job; and begged them not to abandon the cause. Their numbers, he said, were abundantly sufficient: "we shall take them by surprise; though they may have many servants, they will be unarmed: we are now five and twenty, fourteen will be sufficient to enter the room, and the rest may guard the entrance." Brunt, who was always eager and zealous in the cause, then stepped forwards, and said, "I presume those who betray alarm are not aware of the instruments we have prepared," and he then pointed to a grenade of a very large construction, intended to be thrown into the room, and which would at once have effected the destruction of all the persons there assembled. Ings, the prisoner at the bar, also declared that if they did not proceed to the accomplishment of the object, he would either hang himself or cut his throat immediately. After this scene, it was put to the vote whether they should proceed, and they were unani-

mous in their determination to go on with the enterprise. It was then fixed that fourteen should be selected for the purpose of entering the room, and those who were willing to engage in that part of the design, were desired to pass across the room, and to take a particular position. Immediately the prisoner at the bar and several others, in consequence of this notification, went to the spot assigned.

Gentlemen, at this moment an alarm was given below—" look out above there," was shouted. Thistlewood immediately went to the ladder, for there was a communication only by a ladder with the stable below, and, looking down, he saw persons coming up with considerable activity. They were police officers, Ruthven at the head, Ellis second, a man of the name of Smithers third. When Ruthven mounted the ladder, he looked round the room, and saw the persons there assembled armed in the manner I have described, desperate in their appearance, a kind of bench crossing the room, covered with arms of various descriptions—some of the parties endeavouring to retreat into a small adjoining room—Thistlewood seizing a sword and following them into this apartment. Ruthven made good his landing; he was followed by Ellis, and by Smithers, a man of great spirit, who immediately sprung forward. Thistlewood drew back his arm, and as Smithers approached him he plunged the sword into his heart. Smithers fell dead upon the spot. There was a cry—" put out the lights," and the lights were put out; and there was a cry—" kill the thieves, throw them down stairs;" upon this there was a general rush to the ladder, Thistlewood descended in the confusion, he discharged a pistol at an officer near the door, escaped, and was not then taken.

The prisoner was first seized in the stable below. The knife I have described was taken from his bosom, but in the confusion, some way or other, as you will hear from the witnesses, he made his escape. He was pursued into a contiguous street—John Street; finding that he was not likely to escape from his pursuer, he turned round and fired a pistol at him—the ball grazed his neck. The

prisoner still continued to run, but was stopped by the watch-man. When he was brought back, he was asked his motive for firing, he said—"I know the upshot of it. I wish I had killed you. I know what I have done." He was then secured. Davidson, the black, who will be produced at the bar, was also apprehended in endeavouring to make his escape. He was taken to a public house; and, as a further proof of the object of this meeting, and of the projects which the parties had in view, you will find that he immediately began to swear that the man deserved to be damned who would not die in the cause of liberty. Brunt, one of the most active of the party, effected his escape. He returned to his own lodging about nine o'clock. His apprentice was there, whom we shall call as a witness. He came in jaded and dirty. He said to his wife—"it is all over; we were attacked by a great number of officers. I have saved my life, that is all:"—however, recollecting himself, he went out shortly afterwards with another person, saying, "no, there is something to be done yet," referring, no doubt, to the other parts of the plan of setting fire to the town, seizing the cannon, and the other particulars which I have already stated. He returned in about two hours, and went to bed, first desiring his apprentice to clean his boots early in the morning; when he arose, he called his apprentice into the adjoining room, took out of a cupboard a number of hand-grenades, a number of bags filled with powder, so constructed as to serve for cartridges for the cannon, and a number of fire-balls. They were put into two baskets, one of them covered up with the apron of Brunt's wife, which had been used as a blind to the window of the room in which the parties had held their meeting. He desired his apprentice immediately to take the two baskets to a place called Snow's Fields, to the house of a person of the name of Potter—Potter being one of the persons who had been in the habit of meeting at Fox-court—Potter being one of the conspirators.

Gentlemen, just at this moment, Taunton, the Bow-street officer, came up the stairs. He searched the room

of Brunt, and found nothing; but going into the back room, he discovered the two baskets, prepared in the way I have described. Turning to Brunt, he asked him whose room that was,—he replied he did not know—a man whom he had met accidentally at a public house had taken it. He was asked to give an account of the baskets,—he said he knew nothing of them. Taunton then took him into custody, and proceeded immediately to Tidd's lodgings, which I have described as the depôt, and there he found a trunk containing 965 rounds of ball-cartridge prepared for service; he found separate parcels of cartridges, amounting to between two and three hundred; he found several hand-grenades, and several cartridges prepared for cannon, and several fire-balls, shewing that the project the parties contemplated was not confined to the assassination of his Majesty's ministers, but had a more extensive range, and was of the character I have described.

Now, Gentlemen, I have stated to you this case, as I know it will be proved in evidence. I have given you the whole history of the transaction, from its commencement in the middle of January, to its termination on the 23d of February, when the prisoners were apprehended in Cato Street. You must of course be aware that when I have to lay before you a case of this kind—a case of a secret conspiracy carried on in the manner I have described, that with respect to the minute details of the case, they can only be proved by some of the conspirators themselves; I therefore must call before you, for that purpose, one or more accomplices. Gentlemen, according to the law of England, and according to the law, I believe, of every country in the world, an accomplice, under such circumstances, is a witness to be heard in a court of justice: if it were not so, the consequence must be most ruinous to the interests of society; for the great check you have on combinations of this nature is, that the parties feel they cannot trust each other; that they are in the power of their associates, and that those very associates may be called to give evidence against them: put an end to this, and let it be laid down as law, or as a practical course to be pursued by

juries, that accomplices, when they come forward as witnesses, are not to be considered as entitled to credit; and you hold out an encouragement to secret and dark conspiracies of this kind, for you hold out complete indemnity and impunity. But when I say that an accomplice is to be heard, in a court of justice, do not understand me to say that his evidence is not to be watched with the utmost jealously and the utmost caution. You will, in the first place, enquire what has been the previous character of the man, and if you find that previous character to be untainted, that circumstance will add to the reliance you will be disposed to place upon his evidence. But, Gentlemen, you will ask yourselves what interest he has to answer in perverting the truth. When an accomplice stands as a witness, in a court of justice, he may possibly be desirous of lessening his own guilt at the expence of those with whom he has associated; but he has no interest to answer in stating that the crime which the parties assembled to commit was of a different nature and character from what it really was: he has no interest to answer in enhancing and aggravating the character of the offence. He knows although no express promise has been made, but he must know, from the course practised on these occasions, that if he comes forward, and deals fairly and honestly with the public; if he comes forward, and states fairly and honestly all that he knows of the transaction, the vengeance of the law will not take place against him. But this can be no motive to induce him to falsify the facts, and to make the case of a more atrocious character than it really was; and I ask you, therefore, when I call the person to whom I am alluding before you, I ask you, in examining his evidence, to put this question to yourselves:—what interest has the individual to answer in misrepresenting the nature and character of the crime?

Gentlemen, there is another point which you will take also into your consideration; you will enquire whether in the story he is telling, he is exposing himself to be contradicted if he tells that which is false. If he says that there were such and such persons present at the

transactions to which I am referring, you will see that he must know that those persons may be called for the purpose of giving evidence against him; you will enquire in the first place whether this must not of necessity be a check upon his evidence, and prevent his stating that which is false; and you will also enquire in the result whether those particular witnesses are called on the other side, for the purpose of contradicting him. Lastly, Gentlemen, you will enquire, is he confirmed in the story he is telling, that is the great principle which is applied in the administration of justice. When you come to enquire into the credit due to an accomplice, is he confirmed in those parts of his story, where, from the circumstances of the transaction he can be confirmed; not in collateral and trivial particulars, which have no relation to the essence of the crime, but is he in the main current of his story, confirmed in those particulars which from the nature of the case admit of confirmation. Now, Gentlemen, I beg you, after you have heard all the evidence laid before you, to apply those tests to the consideration of the evidence of the accomplice, and say, whether or not you think him entitled to credit.

But, Gentlemen, this case does not depend upon the credit due to an accomplice; it may be necessary for the purpose of filling up a particular fact, of making out some of the detail, to call an accomplice; but we have many other witnesses. I have told you of the communication made to Hiden, a man of unimpeached and unimpeachable character; a man who on the communication being made to him, instantly did that which every honest man would do, went and revealed it to the officers of government, that so foul and desperate a conspiracy might be defeated. But, Gentlemen, it does not depend even upon this evidence, for there are the facts themselves, which speak emphatically on the case. These parties were assembled, for what purpose were they assembled? for no ordinary purpose; the very arms and preparations negative such an inference. Is any assignable cause given or can any be given, for this meeting, except that spoken to

by the witnesses? Gentlemen, look at the nature of the arms that are prepared; they were not prepared solely for the purpose of executing this project of assassination, because you will find, that at the depôt at a distance from the place where the project of assassination was to be executed, and after all the preparations were complete for the purpose, there was found that quantity of arms and ammunition which I have mentioned; those illumination balls, as they were lightly called by the parties, and the preparations for loading the cannon, which shew to demonstration, that the case, as stated by the accomplices, is in the whole of it correct. Gentlemen, it appears to me, upon the evidence as it will come before you, that it is impossible to entertain a doubt upon the subject. But it is not for me to determine it, it is for you, when you have heard the evidence dispassionately to judge.

Gentlemen, it may be said that this was a wild and visionary project; and because it was a wild and visionary project, you are to be told that no such project was formed. The question is not whether you or any other prudent and sober man, even if his heart would allow him, would have embarked in a design of this nature. It is impossible to look through the history of the plots and conspiracies by which any country in the world has in its turn been agitated, and not to say that, independently of other considerations, there is not one in a hundred in which any prudent man would have embarked. You will find them in general ill-arranged, wild, and extravagant, leaving every thing to hazard, formed with inadequate means, like that which is now the subject of your consideration. But men become enthusiasts in cases of this nature; they are blind to the immediate difficulties; they look to the attainment of the ultimate object, and, in so doing overlook the impediments in their way. But let me only state one observation to you, and you will cease at once to consider that any argument can be founded upon the visionary nature of this plan, when you come to apply the case to these particular individuals. They had considered, falsely I know, but they had considered that the great

mass of the labouring part of the country was ripe for insurrection; they considered them as radically disaffected to the government of the country; they thought therefore that if they could strike this sort of stunning blow, they might at once commence an insurrection and revolt that would enable them to take possession of the government of the country. If they were right in the suspicion they had formed, that disaffection had spread so widely, and had assumed such a character, the project ceased to be wild and visionary, and it is upon that opinion, and that opinion alone, that the whole of this plan appears to have been built. But, Gentlemen, the question is not whether the project was extravagant, but whether such a project was formed; and you will look to the evidence that will be laid before you, for the purpose of ascertaining that fact; and however wild, however extravagant it may appear to your sober judgments, if you find it proved on the testimony of witnesses, and on an appeal to facts which cannot be perverted or denied, that such a project was formed, then, however wild and visionary it may be in your opinion and your estimation, it will be your duty to pronounce accordingly.

Gentlemen, I have laid this case simply before you. I, and my learned friend who sits near me, have no interest to answer upon this occasion, but to bring this case simply, distinctly, intelligibly before a jury of the country; you are every one of you as much interested in the result of this enquiry as we can be: for myself I speak most sincerely, when I say that I am desirous only that justice should be fairly administered upon this occasion. I entreat you, if there should be any reasonable doubt existing in your minds upon this question, to remember the benevolent principle of the law of England, and give the prisoner the benefit of that doubt; but if after you have attended to the whole question,—if after you have heard the whole evidence, it shall carry conviction irresistibly to your minds; however painful it may be, yet I am sure you will discharge your duty, whatever may be the consequence, with firmness and integrity.

Evidence for the Crown.

Robert Adams sworn.

Examined by Mr. Attorney General.

Q. You are now a prisoner in custody, I believe?

A. Yes.

Q. Before you were apprehended did you reside at Hole-in-the-Wall Passage?

A. Yes.

Q. That is near Brook's Market?

A. Yes.

Q. Were you acquainted with a person of the name of Brunt?

A. I was.

Q. When did you first become acquainted with him?

A. The first of my acquaintance with Brunt was at Cambray in France, at that time he passed by the name of Thomas Morton.

Q. I believe some years ago you were a soldier in the Oxford Blues?

A. I was.

Q. How many years ago?

A. About eighteen years ago last Christmas.

Q. You were discharged from illness?

A. Yes.

Q. What has been your trade or employment since?

A. Chiefly shoemaking.

Q. When you were in France were you pursuing that trade with the English army that was there?

A. I was.

Q. When did you renew your acquaintance with him in this country?

A. I cannot pretend to say the month, but some few months after I returned.

Q. Where did Brunt live for the last few months?

A. He lived in Fox Court, Gray's-Inn Lane.

Q. Do you know a person of the name of Thistlewood?

A. Extremely well.

Q. When did you first become acquainted with him?

A. On the 12th of January, a Wednesday, I think.

Q. In this year?

A. Yes, it was on a Wednesday; I think Sunday was the 9th.

Q. Who introduced you to him?

A. Brunt and Ings.

Q. The prisoner at the bar, Ings?

A. Yes.

Q. How long had you known Ings before that?

A. About five or six days.

Q. Where were you introduced to Thistlewood?

A At his lodgings in Compton Street, Clare Market—Stanhope Street, I mean.

Q. Had you a conversation at that time with Thistlewood, in the presence of Brunt and Ings?

A. I had.

Q. Tell us what passed upon that occasion?

A. On Brunt introducing me into the room to Thistlewood he said, "Here, Mr. Thistlewood, is the man that I was speaking to you about." "Oh, is this the man?" says Thistlewood, "you belonged to the Life Guards, did you not?" I said no, that I belonged to the Blues, the proper name of the regiment was the Royal Horse Guards.—"I believe," says he, "you are a good soldier, and can use a sword well." I told him I once was a good soldier, and I once could use a sword well; I told him I could use a sword sufficiently to defend myself, if occasion should require it. Upon this he turned the subject respecting the different shopkeepers of London, saying they were all a set of aristocrats, and all working under one system; that he should glory to see the day that their shops were all shut up, and well plundered. He next turned his discourse respecting Mr. Hunt, saying that Hunt was a damned coward, and he was no friend to the people; that he had no doubt in his mind, could he get into Whitehall to

overlook the books there, he should find his name upon the government books as a spy for government. Upon this he turned his discourse to Mr. Cobbett, that he had no doubt he was as bad; that with all his writings, he was not a man for the good of the country at all.

Q. Did any thing more pass?

A. There was nothing more passed at this time, further than that Brunt said, he had two men to call upon in Carnaby Market; he asked Mr. Thistlewood whether he would call upon them for the purpose of seeing those men —this I did not mention before.

Lord Chief Justice Dallas. Never mind what you mentioned before?

A. Mr. Thistlewood declined it, and upon that we left the room.

Q. With Brunt and Ings?

A. Yes.

Mr. Attorney General. I believe you went to prison, on the 17th of January, for debt?

A. Yes.

Q. Had you, previous to this, other interviews with the prisoner and Thistlewood?

A. I had an interview with him on Sunday the 16th.

Q. Where was that?

A. At the White Hart in Brook's Market.

Q Whereabouts did you meet, in what part of the house or premises?

A. We first of all met in the tap-room, and proceeded from the tap-room to the room we had taken.

Q. Where was that room?

A. In the back yard on the ground floor.

Q. Behind the White Hart?

A. Yes.

Q. Who were present at that meeting?

A. There were Thistlewood, Ings, Hall, Brunt, Tidd; that was all, besides myself.

Q. On the following day, the 17th, you were taken to prison?

A. Yes, I was.

Q. How long did you remain there?

A. I remained there until the day after the death of the late King.

Q. That was the 30th of January, I believe? When did you next meet the prisoner at the bar, Ings?

A. I saw him the day after at the White Hart.

Q. That would be the 31st then?

A. Yes.

Q. Did you go with him to any other place, or meet him at any other place but the White Hart?

A. I believe I saw him at Brunt's room.

Q. Whereabouts was Brunt's room, of which you are now speaking?

A. The room that Brunt occupied was a front room on the second floor, and the room taken for the meetings was a back room on the same floor.

Q. Do you recollect who were at Brunt's room on the night of the 31st, when you went there?

A. I saw Thistlewood.

Lord Chief Justice Dallas. About what hour was it?

A. This was between six and seven o'clock in the evening.

Mr. Attorney General. Had you ever met in that room before you went to prison?

A. No, never.

Q. This was the first time you had been in that room?

A. The first time I had known of its having been taken.

Q. Mention whom you recollect to have been there on the evening of the 31st, when you say you went there between six and seven o'clock?

A. I will mention as far as my recollection enables me. I saw Thistlewood, Brunt, Ings, Hall, Edwards: I cannot charge my memory with any other at present.

Q. Did any thing particular pass on that evening, in that room, that you recollect?

A. Nothing particular that I recollect.

Q. When were you next at that room?

A. I believe it might be about the Wednesday night, to the best of my recollection.

Q. At what time on the Wednesday were you there?

A. About seven o'clock in the evening.

Q. Who were there on this Wednesday evening that you recollect?

A. I saw Ings, Hall, Harrison, and Davidson.

Q. Any other persons that you recollect?

A. Thistlewood, Brunt, and Edwards.

Q. Do you remember any thing passing on that evening?

A. There was a conversation between them respecting proclaiming of the new King; the indisposition of the new King brought up a conversation, a few words were said upon it.

Q. Did you see any thing in that room that evening?

A. I did.

Q. What did you see?

A. I saw some pike staves.

Q. Did any thing pass on the subject of those pike staves?

A. Mr. Thistlewood made a remark that he wished those pike staves were all ferruled, and holes bored at the end of them in order to admit the pikes; that they might be taken to a place of safety, which he called the depôt, as he did not consider them to be safe there.

Q. Did you know at that time where that depôt was?

A. Not at that time.

Q. Did you afterwards know?

A. I did.

Q. Where was it?

A. At Tidd's.

Q. At the house of a man of the name of Tidd?

A. Yes.

Q. Where did Tidd live?

A. In the Hole-in-the-Wall Passage, an adjoining house to that where I lived at that time.

Q. Thistlewood remarking that those staves should be removed to the depôt, did any thing more pass upon the subject of them at that time?

A. No further than leaving word with Mr. Brunt, that he hoped they would be taken there when they were done, but they were not finished at that time.

Q. What sort of staves were they?

A. They were green sticks, the substance of my wrist, some larger, some not so large; they were quite green, they were brought from the other side of the water. I did not see them brought, but I heard Ings say that he brought them there—they were fresh cut.

Q. Do you recollect any thing more happening or passing that evening?

A. Yes; this evening it has come to my recollection: I saw, after the conversation that had passed respecting the new king, Ings himself pull a pistol from his pocket.

Q. On that evening?

A. Yes, on that evening.

Q. Was any observation made?

A. Yes, from the discourse; it being said that it was likely he would die, it was remarked by Thistlewood: he said he hoped he would not die in consequence of the Duke of York coming to the crown. On this, Mr. Thistlewood said he had rather the new king would live for a little while longer, as it was not their intention that he should ever wear the crown. On this, Ings alluded to the people of the country in general, saying they were all a set of damned cowards; that the day the Prince Regent, at that time when he was Prince, opened the Parliament—"I, myself" says he, "went into the park that very day, and took a pistol in my pocket, with the sole intention to shoot the Prince Regent;" on his making use of that expression, he takes his right hand, pulls the pistol from his pocket, and, to convince them of the sincerity of what he had said—"There," says he, "is the pistol that I took."

Foreman of the Jury. On what day did this take place, was it the 2d of February?

Mr. Attorney General. Yes, we are still upon that evening.

A. Regretting with himself that he had not an opportunity to do what he had intended, saying, had he done it, he had not cared a damn for his own life. I cannot bring to my recollection any thing further that passed that night.

Q. How often did you meet at this room?

A. The appointed time was twice a-day, eleven o'clock in the morning, and seven in the evening.

Q. Was there any furniture in this room?

A. Nothing but a stove fixed in the room.

Q. Did you learn from the prisoner, or any of those persons whose names you have mentioned, for what purpose the room was taken?

A. I learnt that the room was taken for the purpose of Mr. Ings, taken for him; but for what purpose the room was taken, I cannot say, for I was not present.

Q. Did you attend many of those meetings between the day you have mentioned and Saturday the 19th?

A. I did, but not so regularly as I did afterwards.

Q. At those meetings at which you were present, between the 2d of February and the 19th, did you at all, or any of them, see the prisoner Ings?

A. I saw him at every meeting I was at.

Q. Do you recollect any meeting in the interval between the 2d and the 19th, shortly before, or about the time of the King's funeral?

A. I cannot speak positively to the date, I can come within a few days.

Q. Do you recollect a meeting before the time of the King's funeral?

A. Yes.

Q. At that time, whom did you find in the room when you came in?

A. I found Thistlewood there, and Brunt, Ings, and Hall, Harrison, Davidson, and Bradburn.

Q. Were they all there when you first came in?

A. They came in, some of them, afterwards.

Q. Who were there when you first came in, according to the best of your recollection?

A. To the best of my recollection there were Bradburn, and Edwards, and Brunt.

Q. Was Harrison there

A. Yes.

Q. Harrison had been in the life guards?

A. Yes.

Q. Do you recollect any conversation about what might be done at the time of the King's funeral?

A. Yes.

Q. By whom?

A. Harrison.—At the time Harrison began this subject, I was close by him; he had been communicating this to Thistlewood.

Q. Tell us what passed after you came in?

A. Thistlewood began to tell me of the proposition Harrison had been making to them.

Q. What did Thistlewood tell you?

A. That Harrison should say he had seen one of the life guards, and that the life guardsman should tell him, Harrison, that on the night of the funeral of the King, every man in the life guards in both regiments that could be mounted, were to attend the funeral of the king; and the foot guards as well, all that could be spared, were to attend the funeral, and the police officers as well that could be spared from London. This was the conversation that passed between Harrison and the life guardsman; that after he left the life guardsman, it struck him that would be a favourable opportunity to collect their men together.

Q. To do what?

A. For the sole purpose of having a riot in London that night, and to put themselves in possession of the cannon in Gray's-Inn Lane, two pieces there, the six pieces of cannon at the Artillery Ground. It was thought by this time, when they had got these cannon, they should be able to proceed by means of the people who would turn over to them. They thought it would be best to send a party of men to Hyde Park Corner, in order to stop any orderly of his Majesty's service proceeding from London to Windsor, to give information of what was going on in London. At the same time it was proposed, that the telegraph on the other side of the water should be seized; to put a stop to it, in order to prevent that communicating any transaction that was going on in London to Woolwich: at the same time it was thought necessary

to dig entrenchments across the ends of the roads that led to different parts of London, to stop the artillery passing to those parts of London.

Q. Was any thing more said about their plan?

A. It was thought by Thistlewood as well as Harrison; he agreed in his ideas on this head, that in case the soldiers at Windsor got any accounts that there was a disturbance in London, they would be so over-tired on their arrival in London, that they would not be fit for any duty. —During this discourse, Brunt and Ings were not present at the time this was talked of.

Q. But they came in?

A. Yes, at the conclusion of the observation I have just been repeating.

Q. Upon Ings and Brunt coming in, what passed then?

A. On Ings and Brunt coming into the room, Thistlewood goes to them, and communicates to them the plan that Harrison had proposed, and what he had laid down by way of amendment, what he thought was necessary or might be done.

Q. Did he communicate to them that which you have been stating to the Court?

A. In short.

Q. What did Brunt or Ings say to that?

A. The observation that Mr. Thistlewood had made to them, did not meet with their approbation.

Q. What did they say?

A. There is nothing short of the assassination or murder of the ministers. I will not be sure which was their expression: but there was nothing short of that should satisfy them.

Q. Had you before this meeting heard either from Brunt or Ings, or any of the others, that there was any intention to assassinate or murder his Majesty's ministers?

A. Yes.

Q. From which?

A. From Brunt and Ings both.

Q. Do you recollect any thing more passing at that meeting?

A. I do not recollect any thing particular that night, but I can recollect a circumstance between that and the 19th.

Q. What was that circumstance?

A. Ings was in the room; his blood was all on the boil to think that he could not get to do that which he wanted to do.

Q. Never mind that, what did he do or say?

A. He said, we must have the ministers, if possible, before the Parliament dissolves.

Q. On Saturday the 19th were you at Brunt's room?

A. I was.

Q. At what hour of the day?

A. Between eleven and twelve.

Q. In the forenoon?

A. Yes.

Q. Were any persons there when you went in?

A. Yes.

Q. Who were there?

A. I saw Thistlewood, Wilson, Davidson, Harrison, Ings, and Hall—I do not recollect any body else.

Q. What passed upon your coming into the room?

A. On my entering into the room they seemed to be in a deep study between themselves; all on a sudden they got up, saying that it was agreed on, that if in case nothing occurred between this and next Wednesday night, that Wednesday night should be agreed on to go to work, for they were all so poor they could not wait any longer.

Q. Was any thing proposed or settled?

A. Thistlewood at that time proposed there should be a meeting the following morning, at nine o'clock, in order to form a committee.

Q. For what purpose?

A. The purpose of drawing out a plan to act upon—on this they were going to separate. Thistlewood all on a sudden said, "Oh, Brunt, if you go round to any of your men, give them orders to come armed."

Q. Was Brunt present at this meeting?

A. Yes.

Q. You have not mentioned his name?

A. Brunt turns himself round, and says, "Damn my eyes! are you afraid of any officers coming into the room, if any officers enter the room now as time gets so near, I will take damned good care they shall not go out alive.

Q. In pursuance of this proposition did you go there again on the Sunday morning?

A. Yes, I did.

Q. About what time in the morning?

A. Just at the turn of eleven.

Q. Tell us whom you found in the room when you went there on the Sunday morning?

A. When I went, there were Thistlewood, Brunt, Ings, Harrison, Davidson, Hall, Bradburn, Wilson, Cook, Tidd, Edwards, and myself.

Q. What passed after you entered the room?

A. I had not been in the room long before Mr. Thistlewood thought it highly necessary, as there were twelve men in the room, which was enough to form a committee, for some one to take the chair and enter into business; on this he proposed Tidd to take the chair.

Q. Did Tidd take the chair?

A. Tidd took the chair, with a pike in his hand at the same time.

Q. After that what was proposed, or what was said?

A. After the chair was taken, Thistlewood standing on his left and Brunt on the right of Tidd; Thistlewood proposed that as they had been waiting so long, and were all out of patience, and there was no likelihood of the ministers meeting all together; it was agreed, he said, between themselves, that if nothing occurred between this and next Wednesday night, the ministers should be taken off separately at their own houses; he said, during this, they should not have so favorable an opportunity in destroying so many of them as they intended to have done, but as there was no signs of their coming all together, they must put up with what they could get: he thought within himself that three would be as many as they would be likely to kill.

Q. Three of the ministers?

A. Yes; he proposed that this should be done on Wednesday night; it was proposed that, on the same evening, the two pieces of cannon in Gray's-Inn Lane, and the six at the Artillery Ground, should be taken, and that Cook should be the person intrusted with that command; that Cook should be at the head of that party.

Lord Chief Justice Dallas. Do you mean that Cook was to be at the head of the party to take the two and the six, or the six only?

A. The six at the Artillery Ground only.

Mr. Attorney General. Was any thing said as to what was to be done with this artillery?

A. After he had got the cannon, it was proposed that these cannon should be loaded on the ground before they were brought out to bring them into the street; after that was done, and if any body interrupted them, these cannon were to be in readiness to fire on those persons that interrupted them directly; but if Cook found himself so situated by people coming over to him, that he would find himself able to make a movement, he was to move from there to the Mansion House.

Q. What was to be done there?

A. The Mansion House was to be beset on both sides; the six cannon they were to take there were to be divided into two divisions, three on each side: Cook was to go to the Mansion House, make a demand of it; if the Mansion House was refused, he was to withdraw directly, go to his cannon, and give orders to fire on both sides; on doing this, it was thought they would soon give up the house to them.

Q. What was to be done with the Mansion House?

A. The Mansion House was to be the seat of the provisional government. After they had secured the Mansion House, it was thought that they might, with the two pieces of cannon that would be brought from Gray's-Inn Lane, attack the Bank of England. After they had attacked the Bank of England, it was proposed to plunder it, provided they succeeded, which they made no doubt of: but they

did not intend to destroy the books; Thistlewood thought it was necessary to keep the books, as that would be a means of bringing to light some of the proceedings of government they had not yet got possession of.

Q. Did any thing more pass?

A. There was something more belonging to this plan, but it was not proposed on this day.

Q. Confine yourself to this day.

A. Mr. Palin was then proposed by Thistlewood.

Q. Was Palin present?

A. No, he was not then.

Q. What was said about Palin, at that time, by Thistlewood?

A. Palin should be the man to set fire to the different buildings that were proposed. As to the time, Thistlewood said they could not come to any particular set time at the moment, but as there would be time between that and the Wednesday night, he thought it better to leave that to a future opportunity.

Q. After Thistlewood had made this proposal, tell us what passed.

A. After Thistlewood had made this proposal, he said, he had nothing more to say at that time upon it, but that Brunt, or his friend Brunt, had a proposition to make, respecting the assassination of the ministers—how it was to be done—on this Thistlewood declined; and Brunt came forward directly with a view to propose what he had to say, and was beginning to speak; Thistlewood said, "Stop, you had better let the proposals I have made be put from the chair to see whether every one in the room is agreeable."

Q. Was it put to the vote?

A. He put it to the men, "If any one likes to speak or say any thing on that which has been dropped, they are at liberty to speak."

Q. Was the proposal put from the chair?

A. Yes, it was put from the chair, and was assented to by all that were in the room.

Q. Being assented to, did Brunt say any thing?

A. Brunt came forward, saying, that the proposal he had to make was respecting the assassination of the ministers; he said it should be done in this way, that as many men as they could get together for that job, should be divided into as many parts as they thought they should be able to kill ministers, he supposed three or four.

Q. Was that agreed to?

A. Brunt had more to say before that was put;—he said, after these men were so lotted out for the killing of each of those ministers, that there should be one man from each lot should be drawn, and that man that it fell upon, should be the man that should murder the gentleman or the lord that they had to kill. The man that was appointed to do this, if he made an attempt and there was the least signs of cowardice seen in the man, that man if he did not do that, was to be run through upon the spot.

Q. Was that proposal agreed to?

A. This proposal was agreed to.

Q. After that, do you recollect any other persons coming into the room?

A. Yes.

Q. Who came in after that?

A. Palin, Potter, and Strange.

Q. Before they came in, and after this proposal had been made by Brunt, do you remember any thing being said by any other person upon this subject—did Ings say any thing?

A. He did not.

Q. Did Thistlewood communicate to Palin, Potter, and Strange, the plan?

A. They were communicated to them both; Thistlewood his, and Brunt his; and they agreed to them.

Q. Did any thing pass after they had agreed to them?

A. Mr. Palin had something to say upon it.

Q. What did Palin say?

A. Palin got up and said—" Mr. Chairman, I wish to speak a few words upon what has been dropped by Mr. Thistlewood and Mr. Br' nt. I have paid perfect attention to what has been said, and have been one that has

assented to it, agreeing as I do within myself to the propositions that have been made, if in case they can be carried, I consider it will be a great acquisition to what we have in view; but this is what I want to know—"you talk of from forty to fifty men for the west-end job," as it was called by Thistlewood; "you talk of taking the two pieces of cannon in Gray's-Inn Lane—the six pieces of cannon from the Artillery Ground, and for myself to act my part, and all this to be done at one time." This was what he wished to be satisfied upon—how it was to be done.—"You ought to know better than I do what men you have to depend upon. I, for my own part, can give no satisfaction with respect to the men I may bring forward, unless I could be intrusted from the committee that was there sitting to communicate to them in part, if not in full, what their plan was, and what they were going to do, and when they would be wanted." It was thought that Mr. Palin knew what kind of men he had, and it was hoped he would be able to trust them.

Q. Was that said?

A. Yes.

Q. Who said that?

A. It was said by Tidd in the chair, and Mr. Thistlewood and Brunt; this conversation passed between them—if Mr. Palin had got such men, as he thought he could depend upon to intrust them with what was in hand, they did not conceive where the harm could be of Mr. Palin having that liberty.

Q Did any thing more pass at that meeting that you recollect?

A. No, not at that time; on this the chair was left; just after this, the chair being left, they were walking about the room, and Thistlewood turned round—"Well thought of, Brunt, as my friend Palin is here, you may as well take him to the place, which is just by here,"—that was Furnival's-Inn Buildings; "let him look at the place, and pass his opinion upon it, to see whether it is practicable to do what we think of."

Q. Did Palin and Brunt then go away together?

A. They did.

Q. How long were they absent?

A. I do not suppose ten minutes, to the best of my calculation.

Q. Fox Court is near at the back of Furnival's Inn?

A. It is not at the back of it, it is at one end of it.

Q. It is behind it?

A. Yes.

Q. Did they return again?

A. They did

Q. Upon their return, did either of them, and which, say any thing?

A. It was given in to the committee, that Palin thought it a very easy job, and it would make a good fire.

Q. Did they then separate?

A. No, upon this Brunt renewed the subject of the assassination again; he said he had not an idea upon his mind that there would be any difficulty in regard to fixing upon the men who should be the men that murdered their different Lordships. Ings was the man that said, whoever had the lot to murder Lord Castlereagh, I am the man that will turn out to murder that thief.

Q. When did you meet again?

A. On the Monday morning.

Q. This being on the Sunday?

A. Yes.

Q. About what hour did you go to Brunt's on the Monday morning?

A. To the best of my recollection about ten.

Q. Who were in the room when you got there?

A. I saw Brunt, Harrison, and Thistlewood.

Q. Was Ings there then do you recollect?

A. Yes, he was.

Q. Were any other persons there that you recollect?

A. I cannot say that I can charge my memory whether they were then, they were in the course of the morning.

Q. Tell us what passed on your going to the room on that Monday morning?

A. On going into the room on the Monday morning they seemed to be rather cast down.

Q. Tell us what passed?

A. The principal that passed in the morning was in consequence of a report which had been heard out of doors, and which I communicated to them.

Q. What was that report which you communicated to them, state it shortly?

A. It was what Mr. Hobbs had told me the preceding night.

Q. You must not refer to what you were told unless you communicated it?

A. That there were two officers had been there from Hatton Garden and Bow Street, from which it appeared that there was an information at Bow Street and likewise at Lord Sidmouth's office of what was going on.

Q. What did they say to you?

A. Harrison turns himself round upon me, and says, "You have acted damned wrong," I said "Why?" Brunt turned round directly, and said, "You have acted wrong, Adams," I do not know indeed whether he mentioned my name, "if you have any thing to communicate whatever you may hear out of the room, it is your place to speak either to me or to Thistlewood;" I told him I did not conceive I had any right to speak to either him or Thistlewood, I thought it was my duty to mention it to the whole as it concerned the whole.

Q. After this, did they go from the room for any purpose to separate.

A. They began to think of separating, to call on their different men, and to call on the Mary-le-bone Union.

Q. Was there to be any meeting again that evening?

A. Not on that evening.

Q. On the following day, the Tuesday, did you go again to Brunt's in the morning?

A. Yes, I did.

Q. About the same hour?

A. About ten o'clock as nearly as I can guess, they began to meet earlier after the 19th.

Q. Whom did you find there on the Tuesday morning when you got there?

A. I found Thistlewood in the room—I found Brunt in the room—I found Tidd there.

Q. Was Ings there?

A. Yes, and Hall; I had not been in the room long before I saw Ings pull out three daggers from out of his pocket, he was asked the intention of those daggers, he takes one in his hand and makes a rush, in that kind of way, (*describing it*,) "with a view," says he, "to run into their bodies," with an expression which I will not repeat, unless it is necessary; those being handed about they were put into his pocket just at this juncture of time, just afterwards in came Edwards—Edwards goes up to Thistlewood to tell him he had seen it in the paper that the Ministers were to dine together, on the Wednesday evening, at Lord Harrowby's.

Q. Upon that being communicated, was any thing done?

A. Thistlewood rather doubted it, having seen a paper in the morning and not having seen that, and he proposed, in order to satisfy every one, that the paper should be sent for.

Q. Was the paper sent for?

A. It was.

Q. On its being brought back, was it read?

A. It was read by Thistlewood himself.

Q. Upon that, was any thing said by any of the party?

A. When the paragraph was read, and appeared to be true, Brunt jumped about the room, and ran backwards and forwards, "Now damn my eyes I believe there is a God—it has often been my prayer that God would call those villains together—now he has answered my prayer."

Q. What further passed?

A. Ings was equally as pleased as Brunt.

Q. What did he say?

A. He said that would give a better opportunity—he should have an opportunity now of cutting Lord Castlereagh's head off.

Q. Did Thistlewood propose any thing then?

A. Thistlewood proposed then that there should be a committee sit in order to enter into another plan of assassination of the ministers altogether.

Q. Was the committee formed?

A. The committee was formed; I was appointed myself to take the chair first: I took the chair and called to order. Thistlewood was going to proceed in his business, I having something that I wished to say, put a stop to him.

Q. What did you say when you stopped him?

A. Before they proceeded any further in the business I hoped that every man that heard what fell from my mouth yesterday morning had given it a due consideration.

Q. What passed upon that?

A. On my saying this they were all like a set of mad devils more than any thing else. Harrison was walking about the room like a madman; he looks at me like a madman, with his arm going all the while.

Q. What did he say?

A. He said any man that threw cold water upon what they had then in view, he would run that man through directly with a sword.

Q. In consequence of this confusion did you remain in the chair?

A. In consequence of this confusion, I was considered not fit to keep the chair.

Q. Who was put into the chair?

A. Tidd.

Q. Was any thing then proposed or said by any other person?

A. There was a proposition by Mr. Thistlewood respecting a plan that was to be proceeded in by the taking the ministers all together.

Q. In consequence of your leaving the chair, was any thing proposed by any body; did Brunt propose any thing?

A. Yes.

Q. What did he propose?

A. As Thistlewood was going to speak, Palin——

Q. Palin was there then?

A. Yes, he was, he said, "No, as there has something

fell from Mr. Adams's mouth yesterday morning, and he has made an allusion to it again this morning, I want to know what it is Adams has alluded to."

Q. Was any thing further said by any body upon this?

A. Upon this Brunt jumps up directly, "Damn my eyes I will tell you what it is"—upon that he got up and communicated to Palin the same as I had communicated to them.

Q. Did Brunt make any proposition?

A. He proposed from what had been said, that there should be a watch put upon Earl Harrowby's house.

Q. When was that watch to be put?

A. At six o'clock in the evening to a minute of time.

Q. What were they to watch for?

A. They were to take particular notice who went into the house, if any body went in that they thought had the appearance of police officers, or any soldiers, such was to be communicated to the committee.

Q. What was said upon that by any other person?

A. This was agreed to; but Brunt said further, that if in case there should be nobody found to enter the house, such as was likely to give us any obstruction, the business should be proceeded on—this being done it was looked out who should go on the watch; they were picked out by Brunt, on a proposition made by him.

Q. Were their plans further talked of?

A. This plan was dropped regarding Brunt—Thistlewood then came forward to address the committee.

Lord Chief Justice Dallas. What do you mean by dropped?

Mr. Attorney-General. Do you mean an end put to the conversation?

A. Yes.

Q. Was it agreed that there should be a watch or not?

A. It was determined that there should be a watch set, and then it was dropped.

Q. Then Thistlewood came forward?

A. Yes.

Q. What did Thistlewood say upon that occasion?

A. Thistlewood came forwards saying, it was a much more favorable opportunity in the ministers all meeting together than what it would be to take them separately at their houses—"In taking them separately at their houses, we shall stand a chance to have but two or three; in taking them altogether at the dinner we may have from fourteen to sixteen of them, which will be a rare haul—I think forty men will be sufficient—I will go with a note to the door, to be presented to Lord Harrowby by the servant, telling him I must have an answer." On going in he proposed that he should be followed by men supplied with pistols and different things, pikes, and so on, to see if there were servants about, and to present pistols to their breasts; if the servants offered to make the least resistance, they were to be shot upon the spot; when this was done the men that were appointed to take care of the house were to rush in after Thistlewood—take possession of the stairs leading to the upper part of the house—two men to do that—two men to take the command of the stairs leading to the bottom part of the house—each of these men was to have a hand grenade in his hand, in order to put a stop to any body making any tetreat from the upper part of the house, and as well from the lower part of the house; if any person attempted a retreat, if there was an attempt of the people, such as the servants in the house, to make their escape, a man was to clap fire to this hand grenade and send it in amongst them, with a view to destroy them all together—two men at the same time were proposed to take the command of the area, one with a blunderbuss, the other with a hand grenade—if any attempt was made from the lower part of the house—from the area, they were to be served in the same way as the persons in the upper part of the house. In the time of doing this the men that were to enter the room, after the servants were secured, and the stairs secured too, were to be led by Ings, at his own proposal.

Q. What did Ings say?

A. Ings said he would go to their Lordships' door, and particularly mentioned the description of thing he would

take, in order for his defence—that he would have a brace of pistols—he would have a knife that he had prepared for the sole purpose, to cut the heads of them off as he came at them—the head of Lord Castlereagh and Lord Sidmouth, he was determined to bring away in a bag he had got for the purpose—and one hand of Lord Castlereagh he was determined to bring away; in a future day that would be thought a great deal of.

Q. Did he say any thing about what he was to say when he entered the room?

A. He said he should say on entering the room, that he would go in this way—"Well my Lords, I have got as good men here as the Manchester Yeomanry—Enter citizens and do your duty."

Q. Who were to go into the room with him?

A. He was to be succeeded by the two swordsmen that were appointed for the purpose.

Q. Who were they?

A. Harrison and myself were appointed.

Q. Was it stated what was to be done after this was accomplished at Lord Harrowby's?

A. They were to make their retreat from the house in the quickest manner they could, with Harrison, going to the Horse Barracks, in King Street, with illumination balls, as they called them, and fling them into a straw shed, with a view to setting fire to the barracks.

Q. What was he to do with the fire-balls?

A. To put them into the window where the straw is kept to set fire to them.

Q. What more was to be done?

A. The others were to proceed after they had left the house to Gray's-Inn Lane, with a view to take the two cannon there; on the road to Gray's-Inn Lane if they met any body that offered to give them any interruption, it was agreed that they should be shot or run through with a pike that they might have.

Q. You say a party was to go to Grays'-Inn Lane, was any thing else proposed to be done than taking the cannon in Gray's-Inn Lane?

A. It was proposed to take the cannon as I have before described.

Q. What cannon?

A. The two cannon in Gray's-Inn Lane, and the cannon at the Artillery Ground.

Q. Was it proposed or agreed who were to take the cannon at the Artillery Ground?

A. Cook was the man appointed for that purpose.

Q. Do you remember whether any thing else was proposed?

A. Ings still repeated that he felt rejoiced that he should have an opportunity of cutting the heads of them off.

Q. Harrison, I think you say, was there?

A. Yes.

Q. Do you recollect any thing else being stated by the parties present?

A. Harrison, after this business was done, proposed that there should be a countersign, and those men that had to go round to inform the men that they had to call upon to come forward to-morrow night to their assistance, this countersign was to be communicated to them.

Q. What was the countersign?

A. The countersign that was proposed was *button;* it was to be pronounced separately; the man that came up to the man that was to be appointed at the top of Oxford Road, the person approaching was to say *b, u, t,* the one that was there in waiting to receive him was to pronounce *t, o, n,* on this being done, he was to be conveyed to the place that was to be appointed afterwards by Harrison.

Q. That being repeated by the man, the person was to be taken to the place that was appointed?

A. Yes, he was.

Q. Did you go again to Brunt's that day?

A. I did.

Q. At what time did you go again?

A. I called in the afternoon.

Q. About what hour?

A. It might be three o'clock. On going up stairs, I

perceived a strange smell; on my entering the room I saw the cause of it.

Q. Who were in the room?

A. Ings, Hall, and Edwards. Ings was making the fire-balls for the purpose of setting fire to the different buildings. Edwards was making fuses for the hand-grenades.

Q. Was Hall about any thing?

A. Hall was occupied in laying sheets of paper down in order to prevent the fire balls sticking to the hand, after they had been dipped into an iron pot.

Q. Did you stay there at that time, or did you go away and come again?

A. I went away almost immediately.

Q. Did you call at Brunt's again that evening?

A. I did between six and seven.

Q. Whom did you find there, when you returned in the evening?

A. I found Thistlewood in the room. I saw two strange men in the room.

Q. Two men whom you had not seen before?

A. Yes.

Q. Do you know the name of either of those men?

A. I can tell the name of one; the other I cannot.

Q. What was the name of that man?

A. The name of that man was Harris; but I did not know it then.

Q. Whilst you were there, did Tidd come?

A. Tidd came about half past eight o'clock.

Q. Did you remain there?

A. Yes, I did.

Q. Upon Tidd's coming, what passed?

A. On Tidd's coming into the room, he being one that was appointed in the morning by Brunt, and Brunt himself, to go on watch at nine at Lord Harrowby's house—

Q. Who had been appointed to go at six?

A. Davidson was one, the other I cannot tell.

Q. Davidson is the man of colour?

A. Yes.

Q. At nine Tidd and Brunt were to go?

A. Yes. On Tidd entering the room, he expressed himself dissatisfied in being disappointed in not meeting a man that had promised to meet him that night. Brunt said after this, " It is time for us to go on the watch, to relieve the men at the proper time." Brunt and Tidd started for the purpose of going to Lord Harrowby's: in about five minutes Brunt returned back again, saying that they had called at the house where the man was appointed, and had found the man, and that he was likely to be a man of great consequence to them, and that Tidd could not go and leave him. Ings said, then somebody else could go with him. Brunt looked round the room and said, " Adams, there is nobody can go except yourself." I consented, to go: just as I was going out, in came Edwards: he had been a kind of aid-de-camp to go backwards and forwards, and see that the men were on duty.

Q. Did you go with Brunt?

A. Yes, I went with Brunt. On Edwards coming into the room, I asked him whether there had been any thing seen, he said, " what I have seen or heard I shall communicate to Thistlewood," then Brunt and myself proceeded to Grosvenor Square.

Q. When you came there, did you see Davidson?

A. I saw Davidson.

Q. Was there any person with Davidson?

A. There was another man, but he was not near enough for me to notice him; he went off.

Q. How long did you stay in Grosvenor Square?

A. After we had relieved Davidson, we stopped a very little while, we went to refresh ourselves.

Q. Where did you go to?

A. I do not know the name of the house, but it is at the corner of the Mews directly at the back of Lord Harrowby's house.

Q. Whilst you were there, did any thing happen?

A. Nothing occurred there except that Brunt got playing at dominos after we had refreshed ourselves.

Q. With some person there?

A. Yes. We stopped there till very near eleven o'clock,

with my going out twice by the desire of Brunt, at intervals.

Q. To watch?

A. Yes.

Q. Brunt remaining during that time in the public-house?

A. Yes.

Q. How long did you stay in, and in the neighbourhood of Grosvenor Square?

A. Till the time of twelve.

Q. That was the time to which you were appointed to watch?

A. Yes.

Q. Then did you return home?

A. I left the Square, and came directly home; the watch was to commence the next morning at four o'clock. Ings and Hall were to begin at four o'clock.

Q. The next day was Wednesday the 23rd?

A. It was.

Q. At what time did you go to Brunt's on that day?

A. At about two o'clock.

Q. You did not go there till two o'clock?

A. I called up there occasionally earlier, but did not stop.

Q. Upon your going at two o'clock in the afternoon did you find Brunt?

A. I found Brunt in his own room.

Q. Not in the room in which you met, but in his own room?

A. In his own room.

Q. Were any persons there when you came in?

A. There were no persons in the room but himself, his wife followed me in.

Q. Whilst you were in the room with Brunt did any persons come in?

A. Strange.

Q. Any other persons?

A. There were two or three whom I had not seen before.

Q. Did you see any thing in Brunt's room?

A. There were several pistols that I saw lying on the top of the drawers, but the exact number I cannot state.

Q. Was any thing done by Brunt or Strange, or any other persons in that room?

A. They began to put their flints into the pistols on Strange coming into the room and those strange men, Brunt directly proposed they should go into the other room.

Q. What did they do to the flints?

A. They put a bit of leather round them, to secure them.

Q. What did you see on going into the back room?

A. On going into the back room I saw arms of different descriptions.

Q. What were they?

A. Cutlasses, pistols,—a blunderbuss with a brass-barrel.

Q. Did any persons come into the room while you were there, besides those you have mentioned?

A. Yes, just after that came Thistlewood, and not long after him Ings and Hall came, and a very little while after that another stranger or two came in.

Q. What passed on their coming in?

A. They began as they came in to prepare themselves with the different arms they wanted to take with them, such as fixing the flints, and fixing slings to the cutlasses; on Thistlewood's coming into the room he looks round him and says, "Well, my lads, this looks something like as if you were going to do something." He came up to me, laying his hand upon my shoulder, and said, "Well, Mr. Adams, how do you do?" I told him I was very low in spirits—he wanted to know what was the matter. I told him I wanted some refreshment, as I had not had any thing to drink that day—he directly proposed to Brunt to fetch something to put me in spirits.

Q. Was any thing brought?

A. Yes; on this being said, Thistlewood proposed to fetch some paper, in order to write some bills.

Q. What was done upon that?

A. Thistlewood produced the money to Brunt, and Brunt sent.

Q. Did any thing pass before that, when he proposed to fetch some paper—what paper?

A. He said he should like the same kind of paper as the newspapers were printed upon. I said to him, "As you do not know the name of the paper, you had better get some cartridge paper, which will answer the purpose equally as well."—The cartridge paper was sent for.

Q. Who sent for it?

A. Brunt.

Q. Whom did he send?

A. He said, he would send for it either his apprentice or his boy.

Q. Was any money given?

A. Yes.

Q. By whom?

A. By Thistlewood; Thistlewood produced the money to Brunt.

Q. Did Brunt go out of the room in order to get the paper?

A. He went out to the door.

Q. Did he bring back the paper?

A. I cannot say who brought the paper, but I saw it in the room.

Q. What sort of paper was it?

A. Cartridge paper.

Q. Upon the paper being brought what occurred?

A. Upon the paper being brought, Thistlewood sat down to write; he wrote three bills out; in writing the last bill he expressed himself very tired, he did not know what was the matter with him, but he could not write any longer.

Q. Were those bills which he first wrote read to the people in the room?

A. They were read by himself.

Q. Did he read them aloud?

A. Yes.

Q. What was it that he read?

Mr. Adolphus. I must object to that.

Mr. Attorney General. After he had finished those three bills he appeared tired?

A. Yes he did. Am I to state the contents of the bills?

Q. What became of those three bills which he wrote?

A. Those three bills that he wrote—the first thing that was done with them, after he had done with them, was to lay them down in the room, in order to dry: after they were dried they were doubled up; I saw one in Ings's hand, and I saw one in Thistlewood's hand; but what became of them after that, I cannot tell.

Mr. Adolphus. I only wish to see the thing done regularly.

Mr. Attorney General. Then, now tell us what Thistlewood wrote upon those bills?

A. "Your tyrants are destroyed—the friends of liberty are called upon, as the provisional government is now sitting. James Ings, Secretary. February 23d, 1820."

Mr. Attorney General. I will not ask as to the other bills, my Lord. I believe some other person was desired to take the pen to write the fourth bill?

A. Hall was called upon, and he refused it; and another person, a stranger to me by name, whom I never saw before, was called on, and he at first refused.

Q. We will not go into that—was Ings in the room at this time?

A. Yes.

Q. What was Ings doing?

A. Ings was very busy in preparing himself for action.

Q. How did he prepare himself?

A. He put a black belt round his waist, in order to contain a brace of pistols; another black belt he hanged upon his shoulder, to support a cutlass; he next placed on each shoulder a large bag, in the form of a soldier's haversack. When he had done this, he viewed himself and he said—"I have not got my steel, I am not complete;" he said—"never mind;" he directly draws a great knife from his pocket, and begins to brandish it about, swearing at the same time that was the knife he procured to cut off

the head of Lord Castlereagh, and the rest, as he came at them. On being asked what he intended them bags for that he had about him, he positively swore that he intended to bring away the heads of Lord Castlereagh and Sidmouth in them.

Q. You say he brandished the knife, what sort of a knife was it?

A. It was a large broad knife that he said he had prepared for the purpose, and bound round the handle of the knife to prevent its slipping in his hand, when he said he should be at work.

Q. After this, did any other persons come, or did those persons go away?

A. After this, Thistlewood and Brunt were out of the room.

Q. Who came into the room?

A. Palin came into the room.

Q. On Palin coming into the room, did any thing pass?

A. At the time Palin was in the room, perceiving that Thistlewood and Brunt were not present, he takes upon himself to address what were in the room: he said he hoped all that were in the room knew what they had met there for; if such, he hoped they would give it a proper consideration; in the first place, to see whether the assassination was likely to be a thing that would be approved of by the country, and whether in doing that the country would turn on their side.

Q. Was any thing observed upon that?

A. Just after.

Q. By whom?

A. There was a tall man in the room made some few remarks on what was dropped, after Mr. Palin went a little farther on.

Q. What did he say?

A. He said—"you seem to speak as if all in the room knew what was going to be done; this is what some of us have heard, but wish to be satisfied. I, for my own part, from what you have said respecting coming to an agreement to stick true to each other, am not afraid of myself,

nor do I conceive that any man who turns out in a case like this ought to value his life."

Q. Upon his saying this, do you recollect any thing being said by Brunt?

A. Just at the conclusion of this, Brunt enters the room again: seeing the alteration in the countenances of what were in the room, he wanted to know the cause; he was told by this tall man again, that there was some in the room that wished to know what they were met there for.

Q. What answer did Brunt make?

A. "This is not the place," says Brunt, "where you are to be informed—go along with me to Edgware Road—there you shall know what you are going about, and all that goes along with me I will take care they shall have a drop of something to drink to put them in spirits.

Q. Was any thing said to you? or did you take any thing yourself to carry to the Edgware Road?

A. Yes.

Q. What was given to you?

A. This blunderbuss with the brass barrel was fixed with a belt round my shoulder, and hung to it, and put under my great coat, that I had then on, to carry to Cato Street.

Q. Any thing else?

A. After this there was a broomstick which had been prepared for the reception of a bayonet at one end, this was Brunt's; I was to take this broomstick in my hand as a walking-stick, there was nothing further communicated, or, at least, done in the room at this present any wise particular, except that Brunt said, it was time for us to begin to prepare us to go, as the room where we were would be wanted by Palin's men in the evening.

Q. You told us in the early part of your evidence that some pike staves had been procured and were to have some ferrules put upon them, had they had, to your knowledge, ferrules put upon them?

A. Yes, I saw ferrules put upon some of them.

Q. Where, and by whom?

A. In the room at Brunt's, I saw a dozen of them ferruled by Bradburn.

Q. Was there any cupboard in that room?

A. There was.

Q. Had you ever seen that cupboard open?

A. Yes.

Q. What was that cupboard used for?

A. It was used for the reception, for the purpose of putting swords; I saw some tallow there—I saw some pitch there—I saw some of those small hand grenades in it, those were the principal things I have seen there.

Q. Had you ever seen any gunpowder prepared there?

A. I had seen gunpowder, a musket, belt, and the hand grenades laid there.

Q. What had you seen done with powder in that room?

A. I saw the powder put into some of those hand grenades to complete them.

Q. Did you ever see the powder put into any thing else?

A. Not to my knowledge.

Q. Have you ever seen any bags of any description there?

A. I saw the powder that was brought in a brown paper bag there, and I have seen Brunt take a bag to carry the hand grenades there.

Q. What time did you go away from Brunt's that evening for Cato Street?

A. As nearly as I can calculate, it was drawing very near to six, or it might be six.

Q. With whom did you go away in company?

A. I went by myself, and was to be followed by Strange and this tall man, and two or three others whose names I did not know, and Brunt was to follow.

Q. Did you go on towards the Edgware Road?

A. I went right up Holborn, and right up Oxford Street, in going up Holborn——

Q. We need not go through the particulars of your journey to Cato Street, did you afterwards go to Cato Street?

A. Yes, I did.

Q. Who went with you finally to Cato Street?

A. Thistlewood, Brunt, and a strange man, whom I do not know.

Q. Where did you meet Thistlewood before you got to Cato Street?

A. In the Edgware Road.

Q. When you got to Cato Street where did you go, into what building or house?

A. I entered into a stabling, a kind of stable.

Q. That is near the end of Cato Street by John Street?

A. Yes.

Q. You went under an archway?

A. Yes.

Q. This stable is the first building on the right-hand side after you have passed through the archway?

A. Yes.

Q. When you got into this stable whom did you find there?

A. I found Davidson sitting, and a person standing apparently as if they were doing something with the pikes; I passed them in the stable and went up the ladder into the loft above.

Q. Were there any persons in the loft, over the stable, when you got there?

A. Yes; I found Ings and Hall there.

Q. Any other persons?

A. Yes, Bradburn.

Q. What were those persons about when you got into the loft?

A. They were taking the different arms.

Q. Where were those arms?

A. Lying on the bench that was in the room.

Q. There was a bench in the room on which the arms were?

A. Yes.

Q. Was Tidd there when you arrived?

A. No, he was not.

Q. Do you recollect any thing passing in consequence of Tidd's not being there?

A. Yes; in consequence of Tidd not being there, Thistlewood and Brunt were talking about it, Thistlewood began to be rather agitated for fear Tidd should not come.

Q. What said Brunt?

A. Brunt seeing the men rather confused, for it was pretty general, said there was no occasion for any uneasiness respecting the arrival of Tidd, for he would venture to forfeit his existence that Tidd would be forthcoming. About this time, in consequence of what had appeared in the faces of the men, Ings began to shew himself mad, quite terrified, he began to stamp and to swear, to take both his hands up in this way against his hair, as if he would tear it off, and said " Damn my eyes, if you begin to talk of dropping the concern now, I will either cut my throat or shoot myself."

Q. Did Thistlewood say any thing?

A. Yes; Thistlewood then said " for God's sake do not think of dropping the business now; if you do it will turn out a second Despard's job." Thistlewood, looking round, said, " you seem to think there are not men sufficient." He cast up the number of men that were in the room:— " let us see, there are eighteen here and two below, that makes twenty, that is quite sufficient:"—says he " suppose there to be sixteen servants in Lord Harrowby's house, they are not armed, we shall go prepared, and it will not take us, from entering the house to coming out, above ten minutes."

Q. Was any thing done in respect to the men who were to enter the house?

A. He proposed that there should be fourteen men out of the twenty that should enter the room; that he thought six would be sufficient to take care of the servants.

Q. When did Tidd come in?

A. He came in about twenty minutes, to the best of my recollection, before the officers entered the room.

Q. Did Tidd bring any person with him?

A. I did not see him enter the room, but I saw him after he was there.

Q. You say he proposed fourteen persons should enter Lord Harrowby's house?

A. Yes, on seeing Tidd in the room, for he was in the room at the time Thistlewood was talking of this: seeing Tidd in the room, Thistlewood fixed his eye upon him. I looked at him, and Thistlewood, upon seeing this, turned his eye away directly. I said, "do not you think it is a pretty set out? do you think they will be able to do this thing?" he said, "Never."

Q. You say fourteen were to go into the house?

A. Fourteen were to be selected to go into the room; it was first proposed to be put to them to see if they were all willing to go: this was put, and it was agreed to, at the time the men were called out, the fourteen men that were to enter the room. Brunt produces a gin bottle from his pocket. Shall I state the men that were picked out to go into the room?

Q. Was Ings one of those?

A. Yes, he was.

Q. Were you one of them?

A. Certainly.

Q. Was Harrison one?

A. He was one; this being done, thinking to get myself in readiness to go, I heard somebody in the stable.

Q. What did you hear?

A. I heard something below, and directly there was said, "holla," and Thistlewood directly takes a candle, and looks to see who it is; upon that, he sets the candle on the bench directly again, in quite a confused state. I never heard him speak.

Q. Did any persons come up the ladder?

A. There were two officers directly entered the room.

Q. What became of Thistlewood?

A. He sidled off from the place where he was, into a little room.

Q. Was that the little room nearest the street?

A. It was the room, as the officers came up on the right-hand side.

Q. There were too rooms there, we understand?

A. I do not know that; I had never seen it till the officers came up.

Q. Did any other persons go into that little room besides Thistlewood?

A. There were Ings and Brunt, I saw in, and Harrison.

Q. What happened upon the officers coming up?

A. On the officers coming up into the room, they stood in the room at the top of the ladder, as it were, with a small pistol presented, saying, "holla, here is a pretty nest of you," looking round, and seeing the arms of different descriptions lying on the bench, and some of them with arms about them; they said—"Gentlemen, we have a warrant to apprehend you all, and I hope as such you will go quietly." On this, Smithers, who was behind, cried, "make room, let me come up:" on Smithers coming into the room, between the two officers that were making way for him, at this moment of time, those that were in this little room made towards the door, a group of them; at that instant of time, I saw a man rush forward from the group of them; at the same time, another hand presented itself with a pistol; at that moment a pistol was fired off, out went the candle, and I could not see what went on afterwards.

Q. Did you see Smithers fall?

A. I did not see him fall.

Q. In consequence of this, was there considerable confusion in the room?

A. Great confusion; the officers, as soon as they perceived their brother officer was killed, ran down stairs, and gave the alarm of murder.

Q. What became of you?

A. I kept my standing where I was.

Q. In what part of the room were you?

A. At the end of the bench, at the further end of the room.

Q. Did you get out of the room?

A. I came out of the room after this.

Q. Down the ladder?

A. Yes, through the stable, and out under the archway, the same as I got in.

Q. And made your escape off?

A. Yes, I got out into Cato Street, and turned my head on one side, and there was a pistol fired out at the window at me. I thought it was at me, for there was not a soul besides.

Q. You got out under the archway, and got off?

A. Yes; as I was under the archway the soldiers were coming through.

Q. When were you yourself apprehended?

A. On the Friday.

Ings. Am I allowed to ask any question, my Lord?

Lord Chief Justice Dallas. You may ask any question, but you will consider whether to put it yourself, or to leave it to your counsel.

Mr. Adolphus. If you will write down any question you wish to propose, if I think it proper I will put it for you.

Mr. Attorney General. You have been in custody ever since?

A. Yes I have.

Cross-examined by Mr. Adolphus.

Q. You were examined here on Monday, I think?

A. Yes.

Q. I should like to know a little more of you; are you an Englishman?

A. Yes.

Q. Born in what part of the country?

A. Ipswich, in Suffolk.

Q. Educated as a Christian?

A. Yes.

Q. You profess that religion, do you, now?

A. Yes, I do now.

Q. Did you ever cease to profess it?

A. Yes.

Q. What mode of faith, or disbelief, did you take up while you disbelieved Christianity—what were you then?

A. I was induced——

Q. Never mind what you were induced; answer my question first, and you shall tell your inducement afterwards. What were you when you were not a Christian?

A. A man, certainly, in the same form as I am now.

Q. What faith or persuasion had you when you were not a Christian?

A. If I must answer that question—

Q. You shall answer the question.

A. Then I will.—I was in faith what they termed a Deist.

Q. Did you believe in God when you were a Deist?

A. They strove to make me—

Q. Did you believe in God when you were a Deist?

A. Yes.

Q. Then you renounced Christianity to be a Deist, and believed only in God?

A. Yes, that was the case.

Q. How long may you have embraced Christianity again?

A. I consider myself to have embraced Christianity again ever since I first received conviction that I was in the wrong.

Q. Give us the day and month?

A. I cannot.

Q. Was it before the 23d of February last?

A. I was convinced even before I was taken, and my conviction grew stronger after that.

Q. Was it before or after the 23d of February last you called yourself a Christian again?

A. After the 23d.

Q. So much for your religion.—How long might you remain in the happy conviction of Deism—how many years?

A. Of a Deist?

Q. When did you renounce faith in our Saviour?

A. It first happened since last August.

Q. Since last August you renounced faith in our Saviour, and since last February you have taken it up again?

A. Yes.

Q In your progress downwards, you say you had got down from Christianity to Deism.—Did you ever get to the point of Atheism?

A. Never.

Q. Did you ever profess yourself a Deist?

A. Never.

Q. Did you ever deny your belief in a God at all, and that the Scriptures were all a fable?

A. I never denied a God, though I was brought by that accursed work of Paine's to deny the Scriptures.

Q. And now you are brought to call the Bible a good book, and Paine's accursed.—How long did you serve the king?

A. Five years.

Q. Where did you serve, in England or abroad?

A. In England.

Q. In the Blues?

A. Yes, properly speaking, the Royal Horse Guards.

Q. We among the illiterate call it the Blues.—Had you any allowance or pension on your retiring from the army?

A. None at all.

Q. You have retired again to your trade of a shoemaker?

A. Yes.

Q. Is that your hand-writing?—(*shewing a small piece of paper to the witness.*)

A. Yes, it is.

Q You were examined here on Monday?

A. Yes, I was.

Q. Where have you been since?

A. I have been in the same custody as I was before.

Q. Where was it?

A. In the House of Correction.

Q. Cold Bath Fields?

A. Yes.

Q. In solitary confinement, or have you seen any body?

A. I have not been in solitary confinement, but I have not had communication with any body, nor have not had since I was taken.

Q. Have you been in solitary confinement or not?

A. I have a room in the house of the governor.

Q. Have you been solitary, or seen any body?

A. I may say solitary, for when I reflected with myself—

Q. I do do ask as to your reflections.—Have you seen any persons, or been alone?

A. I have certainly seen those that have attended me.

Q. Have you seen any body who told you any thing that passed in this Court after you left it?

A. No, I have not.

Q. That you swear?

A. I have not seen any body who told me any thing that passed in this Court.

Q. Have you seen any body who told you any part of what passed in this Court after you left it?

A. No, I have not.

Q. Have you had any writing, printing, or any other thing conveyed to you, communicating it?

A. I have had no writing whatever communicated to me.

Q. Then you do not know any thing about what passed?

A. No; I heard the day before I went off, the day the verdict was given against Thistlewood, that he was found guilty.

Q. Where were you day by day?

A. I was kept in a room by myself, because I would have communication with no person.

Q. You were guarded?

A. I had two men with me.

Q. Did you hear any thing of the observations upon your evidence?

A. No.

Q. Not a word?

A. No.

Q. Now I will tell you why I ask you that question—you have altered your evidence a good deal since that.

A. I do not know that I have.

Q. Then I will bring it to your memory, that you have, without going through the whole course of your evidence the other day—how long have you known Edwards?

A. I have known Edwards ever since the early part of January.

Q. How long have you known Ings, was that by Brunt introducing him to you?

A. Yes.

Q. And you became acquainted with Brunt, on the continent, three or four years ago?

A. Yes.

Q. From the time you began to hold any communication or correspondence with Brunt, with Ings, and Thistlewood, was it your intention to execute the project they proposed to you, or did you intend to give information against them?

A. I never intended: it was no inward intention of mine to commit murder, nor I never had any intention to give information against them; after I got into the knowledge of what was in hand, I waited the opportunity to get out of it.

Q. You never intended to commit murder, nor to give information, but you waited for the opportunity to creep out of it?

A. Yes.

Q. What hindered your creeping out of it at any time?

A. From threats that had been held out.

Q. Let us see how that is. Early in January, Thistlewood had had a conversation with you, in which he said that the shop-keepers were all aristocrats, and he should like to see their shops shut up and plundered?

A. Yes.

Q. Were you disposed to go that length; should you like to shut up their shops and plunder them?

A. I should not wish to go that length.

Q. Moderate your action a little.

A. I am perfectly collected. I can stand here if you desire it till to-morrow morning.

Q. Were you disposed to shut up the shops and plunder them?

A. I was not.

Q. But you were in society with men who said they were?

A. That society I was just entering.

Q. There were no threats held out in that conversation?

A. Not at that time, that I admit.

Q. You had had the benefit of a recess of fourteen days in White Cross Street prison?

A. But I had had threats before I went into the White Cross Street prison.

Q. Had you had threats before any thing was communicated to you?

A. Yes, before I went to prison.

Q. Your first conversation with him was in January?

A. Yes.

Q. What sort of threats were they?

A. This was the very day before I went into prison. I was asking Mr. Brunt, in the presence of Thistlewood, for the plan that, I was told by Brunt, first of all was drawn up. I wanted to know what it was; I wanted to see it. Brunt said directly that there would be nothing communicated or given till the day of acting. Thistlewood answered this directly, "By no means, there shall be nothing given, and the very day that we think of going to work;" then says he, "we will have the men all together, give them a treat, and then we shall tell them what is to be done; and after that we will never lose sight of them." Upon this Brunt said he would take damned good care that there should be no writings kept in the room where they were, that would put them into danger, "But," says he, "if any man I have ever spoken to concerning this will give me reason to suppose he will give information, I will run him through and put a stop to it."

Q. I wonder you were not afraid to come out of prison—that would have been the safest place?

A. I certainly was—I am sorry I did come out.

Q. How much were you imprisoned for?

A. Twenty-three shillings and eight-pence.

Q. And these discoveries were made to you before you went to prison, on the 16th of January?

A. Yes.

Q. Had you been at any meeting with those gentlemen then?

A. I had met them several times at this public-house.

Q. Whom had you met?

A. I had seen Brunt, I had seen Ings.

Q. Do you remember on what day you were introduced to Brunt?

A. On the 2d of January.

Q. To Thistlewood?

A. On the Wednesday—I believe Sunday was the 9th, then it must be the 12th.

Q. You told us the other day the 13th, I do not want to fix you particularly?

A. If I said the 13th, it must be a mistake; I know it was the Wednesday.

Q. That was the first time you ever saw Thistlewood?

A. Yes.

Q. How many times between that and the time when you went to Thistlewood's, did you hear those threats?

A. I have stated to you the first time I heard threats thrown out.'

Q. When was that?

A. On the 16th.

Q. Who held them out then?

A. Mr. Brunt.

Q. What day of the week was the 16th, do you recollect?

A. On a Sunday.

Q. You not being particularly incumbered with christianity, thought that a good day to meet those people?

A. Yes, that was the first day we met in the room we were then in.

Q. What room was that?

A. The White Hart.

Q. It so intimidated you that when you came out again you sought those persons, and went on with their plots?

A. I had a right to be intimidated with such a man as Mr. Ings; when any thing occurred his whole blood and soul boiled for murder.

Q. You had not seen Ings at that time?

A. God bless me are you going to reason me out of my Christian name—I have told you I saw Ings between the 2d and the 9th.

Q. Then I have mistaken you—Oh it is so to-day I see—then on the 30th when you had been imprisoned fifteen days you joined those parties again?

A. I did.

Q. Had the thing then got a great deal forwarder in your absence?

A. Yes.

Q. The room had been taken, I think?

A. Yes, the room at the White Hart had been given up, which I did not know on the Monday morning, nor did I know of the room having been taken at Brunt's—I did not go to that room, but to speak to Brunt's wife.

Q. You have told us of a meeting on the 3d of February, you call it the 2d to-day—was Edward's at that—I do not wish to raise any thing on the difference of date—the other day when you were examined did you say any thing about Ings pulling a pistol from his pocket and saying, he hoped the King would not die then, and that the Duke of York would not come to the Crown?

A. I did not—if you question me here you will bring a number more things to my mind, as I have pledged myself to my Maker to divulge all I know, I will tell it.

Q. And the more you are asked the more you will know?

A. Undoubtedly.

Q. You have told more to-day than you did the day before?

A. I told all I recollected.

Q. But this curious idea of Ings, saying he hoped the King would not die then, but would live a little longer; and that the Duke of York would not come to the crown, and that the King should never wear the crown—you did not state?

A. No, I did not recollect it.

Q. You have told us that Ings who happens to be the man before the jury, said they were all a damned set of

cowards; that he took a pistol in his pocket when the Prince Regent went to parliament, with the sole intention to shoot him; that on his making use of that expression, he took the pistol from his pocket to convince them of the sincerity of what he had said, and exclaimed, "There is the pistol that I took," and that he regretted he had not done it, saying, had he done it he had not cared a damn for his own life,—all that remarkable fact you kept to yourself on Monday last?

A. The reason why I kept it to myself was, that it did not come to my recollection: the words I have said this morning were all fact.

Q. The reason you did not state it on Monday was, that it did not come to your recollection?

A. It did not.

Q. I think you told us some things then that did not come to your recollection to-day?

A. That may be. I will not pretend to say that the next time I come up here I can communicate every thing as I have done to-day.

Q. Certainly not;—there are people that proverbially ought to have a good memory?

A. Yes, certainly.

Q. You told us of their being to go to Brighton and Margate and Dover, and take possession of the outports—you have not told us that to-day?

A. I do not consider it necessary: if it had struck me, I would have mentioned it.

Q. You make your evidence a little longer or shorter according as the occasion suits?

A. Yes, I mention the circumstances as they come to my recollection.

Q. On one day it is that the King is to live a little longer, and on another day the ports are to be taken possession of?

Mr. Gurney. That is observation, and not question.

Mr. Adolphus. I am asking him a question.

Mr. Gurney. But that is not a question.

Lord Chief Justice Dallas. You should not now observe on the evidence.

Mr. Gurney. Your lordship knows that we shortened his evidence the other day, and passed over various circumstances.

Mr. Adolphus. You could not stop him; you tried several times.—This about the digging entrenchments you did not state on Monday?

A. No, I forgot that.

Q. The next time there will be a new story?

Mr. Gurney. I must interpose, my lord.

Lord Chief Justice Dallas. All these observations going along certainly are not correct.

Mr. Adolphus. He has said it himself—"when next I come into the box, I shall recollect other things," and upon that I put the question, whether he would tell another story the next time he comes.

Lord Chief Justice Dallas. Ask him the question if you wish it.

Mr. Adolphus. Shall you tell us a new story the next time?

A. No.—If any thing new occurs to my mind when I come to stand here, I will state it.

Q. There is another little fact you had not mentioned before, that the assassination must take place before the parliament was dissolved?

A. Yes.

Q. That did not occur to you on the former occasion?

A. No, it did not. I recollect it perfectly well.

Q. You have omitted something you told us last Monday, that at the meeting on Wednesday the 3d of February, Brunt said he had work to finish, and could not go about the assassination the next day?

A. I stated that on the 19th of February.

Q. Did you not state that that happened on the 2d or the 3d of February which ever was the day?

Lord Chief Justice Dallas. What do you refer to?

Mr. Adolphus. Brunt saying he had business to finish, and could not go the next day.—Upon your oath, did you or not say that that took place on the 2d of February?

A. I stand here upon my oath already; I conceive

that as such, I said, and I say now, that Brunt being asked by Thistlewood to call on his men, said, he had work to do, and did not know that he should be able to attend; this was on the 19th.

Q. Did he or did he not say so on the 2d?

A. I do not remember his saying so.

Q. Did you say on Monday last, upon your oath, that he said so on the 2d?

A. If such a word dropped from my mouth, it is past my recollection.

Mr. Adolphus. I am convinced I was mistaken in that, the date was written narrowly in the margin, and I overlooked it; this meeting on the 19th was when twelve persons were present.

A. No.

Q. That was the 20th, the Sunday?

A. On the 20th; before they all left there were fifteen.

Q. That was at the time Tidd took the chair with a pike in his hand?

A. Yes.

Q. They did not then know of the dinner at Lord Harrowby's?

A. No.

Q. Their plan then was to go to the houses of cabinet ministers, and kill two or three, or four of them?

A. Yes.

Q. And then they were to take the cannon and do all the rest of the work?

A Yes.

Q. You have given us this addition to-day, that the cannon were to be loaded on the ground, and brought out to fire on any who opposed them; but that if Cook found himself strong enough, he was to make for the mansion-house, and to secure that for the provisional government; all that you have told us for the first time to-day?

Q. If I recollect right, the major part of that was stated by me on Monday.

Q. Was there any thing about the cannon being loaded on the Artillery Ground?

A. I will not go so far as to swear that I did state that.

Q. Did you say any thing about Cook summoning the Mansion House, and demanding it to be given up?

A. If I did not, I forgot it.

Q. Bless me, cannot you remember from Monday; those things you are speaking of were three months ago in your memory—worse since you took to Christianity?

A. No, my memory is strengthened.

Q. Did you state that on Monday?

A. I stated that Cook was to demand the Mansion House, and in case it was not given up, he was to fire upon it.

Q. Or did you say it was to be summoned, or demanded to be given up, or not?

A. Certainly.

Q. You said that as having happened then, did you?

A. I consider summon and demanding as two similar things. I do not know whether I am right or wrong.

Q. I mean them as the same thing—to pass that we will come to the meeting on the 22d; was that the time when Ings pulled three daggers out of his pocket?

A. Yes.

Q. He said they were to run into one of their bodies, using an expression that you very properly kept back?

A. Yes.

Q. Why did you not tell us that on Monday?

A. When I was here on Monday, if I was to state the whole, and give the whole, I should be able to state it; but for me to come here and select one single individual out of thirteen, it confuses me, it put a stop to my recollection.

Q. Ings was at the bar on Monday, though he was not on trial on Monday—why did you not tell us that then?

A. If I had thought of it at the time, I would have mentioned it.

Q. It was then that the watch was agreed on?

A. Yes.

Q. To be on duty from six in the evening till midnight?

A. Yes.

Q. And a committee was to sit twice a-day—at eleven in the morning, and seven in the evening?

A. Yes; on the Saturday it was eight that they met—at nine o'clock on the Monday.

Q. How long did your committee meetings last?

A. There was never no regular time.

Q. Did they ever sit till 12 o'clock at night?

A. I never saw them sitting at 12 o'clock at night.

Q. You have told us further that at the meeting on the 23d or 22d, Brunt said he had left Tidd to meet a man that would be of great consequence, and therefore he could not go to the watch—and you were to go, and Brunt and Edwards and you proceeded to Grosvenor Square, and there saw Davidson?

A. Yes.

Q. Why did not you tell us that on Monday?

A. I did not consider, according to the dictation of counsel I had, that I had a right to tell that.

Q. "I did not consider according to the dictates of the counsel" that examined me—how am I to understand that?

A. There were things that transpired on the 22d, that I have not stated either last Monday or to-day.

Q. This was one of those you did not state last Monday, but have stated to-day?

A. Those things I have not stated to-day.

Q. But this as to Brunt's meeting a man you knew last Monday?

A. That was not in Mr. Thistlewood's proceedings.

Q. You mentioned as being parties to that, Brunt and Tidd, and Edwards, and yourself, and Davidson?

A. This was proposed on the Monday morning, the Tuesday morning I mean—the question was asked whether Tidd——

Q. Did you state that on Monday or did you not—did you say on Monday that Brunt said he had left Tidd to meet a man that would be of great consequence, and therefore he could not go on the watch?

A. Brunt said that on Tuesday.

Q. Did you say that on Monday last here?

A. That I will not pretend to say.

Q. We will go over a good deal at once—you are quite sure that when you came to Cato Street, twenty was the number of men there?

A. I took that from the statement of Thistlewood, I did not count them myself.

Q. That there were eighteen above and two below?

A. Yes.

Q. Do you know a Gentleman of the name of Monument?

A. I never saw Monument at all, not to my recollection, not to know him by name.

Q. Perhaps you can tell me the room is fifteen feet one way and ten the other?

A. I do not know the width.

Q. Is that about a true description of it?

A. I should suppose it might.

Q. Were you all pretty close together in that room—all you eighteen?

A. Not at the time the accident happened, the murder—I kept my standing where I was.

Q. Where was that?

A. At the end of the bench under the window.

Q. Was that nearest or farthest from the door?

A. Farthest from the door.

Q. Was that nearest to the smaller room where those parties retired into?

A. That I cannot positively say, for I never observed the door till that moment.

Q. You said you saw the party come, in a group, from that room?

A. Yes.

Q. Was it near that?

A. That door appeared to me to be in the middle of the room.

Q. Therefore the bench would be near it?

A. No, the door is in the side of the room, the bench stands lengthways.

Q. Were you at the end nearest to or farthest from that room?

A. I never pretended to say the distance of that door from where I stood, and cannot.

Q. Then you were nearly in the middle of the room?

A. I was at the end of the room.

Q. The end nearest to the ladder, or the other?

A. Nearest to the street.

Q. You could see all that was in the room?

A. Do you mean to ask me every thing that was in the room?

Q. I do not ask you for an inventory of the things in the room, but you could see every thing?

A. Yes.

Q. How many candles were there in the room?

A. One.

Q. Only one?

A. One I will be answerable for—whether there were more I will not take upon myself to say.

Q. Were there three or four?

A. I can be answerable for one, I can be answerable for no more.

Q. You can answer whether they were there or not?

A. I did not see them.

Q. At any time were there four candles lighted?

A. I never saw but one.

Q. You can tell whether there were more or not?

A. I did not see them.

Q. Were there more than one candle in the room at any one time during the time you were there?

A. If there were it was the time when I was out of the room.

Q. When was that?

A. When I went down into the stable with Thistlewood.

Q. Were there more than one?

A. There was not more than one.

Q. If any man swears there were eight, he swears that which is false?

A. If he speaks the truth.

Q. And a man that speaks the truth will not say there were eight candles in the room?

A. If any man swore there were eight candles in the room, I will swear he was a false man.

Q. That one candle was put out, and it was all dark then?

A. As soon as ever the pistol fired it was all in a state of darkness.

Q. Very good: I want to know which of the officers made a speech on coming into the room.

A. Not knowing the officers, by name, I cannot say.

Q. Should you know the gentleman again if you saw him?

A. I do not know that I should.

Q. But it was one of the first men that came in?

A. Yes.

Q. He used those words?

A. Yes.

Q. And to those words you are quite positive?

A. To the best of my recollection those were the words.

Q. I do not want to trap you in one word, or the turn of a word, but that one of the officers who came in said, "Here is a pretty nest of you?"

A. To the best of my recollection those were the words.

Q. Or, "here is a fine nest of you," or something of that kind, "pretty" or "fine," or whatever it might be?

A. Yes.

Q. You are quite sure a phrase of that kind was used?

A. Yes.

Q. You are quite sure that this same officer said, "Gentlemen, we have got a warrant to apprehend you all?"

A. Yes, that was the expression.

Q. And that you swear to?

A. I will be answerable for an expression of that kind.

Q. "Gentlemen, I have a warrant to take you all, or to commit you all," or something of that kind?

A. Yes.

Q. That you swear?

A. Yes.

Q. And added, "as such you will go peaceably, we hope?"

A. Yes.

Q. Those were the words that were used by the officer?

A. Yes.

Q. If any man has said that they only said "We are officers, seize their arms," that man must be a false man, must not he?

A. If such a word as that passed, I cannot charge my memory with it.

Q. If any one has said that passed, and that only he must be a false man?

A. Do you suppose it is possible for me to stand here and say I will be answerable for every word that passed, or even every transaction?

Q. No, certainly; that is not my question; but you are certain that those words you have spoken to did pass?

A. Yes.

Q. Mr. Edwards was the aid-de-camp to this business?

A. I always found Mr. Edwards seemed to be very deep in it, and very much in conversation with Mr. Brunt and Thistlewood.

Q. And you gave him the title of aid-de-camp just now?

A. I gave him the title perhaps, but that was not the word that passed at the time.

Q. No, so I understood, that that was a term you yourself applied to him. You used the expression last time that you went home after this affair, as quietly, as unquashed as if nothing was the matter.

A. To outward appearance.

Q. You did not tell us last time of the pistol being fired?

A. I did not think of it at the time, nor when I was taken did I think of it that it was fired at me, but in the coat I had on, there was a hole where the ball went.

Q. But you did not think of that when you were taken into custody, nor on Monday?

A. There were several things that I have not stated today, when I come up again I will state them if they occur to me, and if they concern the prisoner. There are things

I have stated to-day that did not exactly concern the prisoner on trial: those are the very grounds on which I omitted stating some things. I do not want to fix the guilt of another man on the prisoner on trial.

A. Certainly not, therefore I suppose he was the man that fired the pistol at you?

A. I do not know.

Q. You have mentioned it to-day, and not on the former day:—you are cautious of fixing any one, I see. Is that the great coat you had on at the time?

A. No, it is in the room I sleep in.

Q. Has that ever been produced to show the shot-hole?

A. No, I did not find it out myself at first, but Maidment, the officer.

Q. Do you know a person of the name of Chambers?

A. No, not that I recollect.

Q. Thomas Chambers.—Did you ever call on such a man, in company with Edwards, in Heathcock Court?

A. No, never in my life.

Q. That you swear?

A. Yes, that I swear: nor do I know where it is.

Q. You never called on any person of that name, nor do not know that person?

A. No.

Q. Did you call on any person in company with Edwards, about three or four days before this affair in Cato Street took place.

A. Edwards went along with me in order to buy a pair of boots that a woman had to sell; that was the only time of my being in his company privately, that was on the Monday.

Q. Where did you meet?

A. He called on me at my lodgings.

Q. Did you call on any body?

A. No, we called in at a wine-vaults at the corner of Newport Market, and he treated me with a small glass of rum.

Q. Did you ever call on any person along with Edwards to solicit him to join a party to kill his Majesty's ministers?

A. Never in my life.

Q. And say that you would have blood and wine for your supper?

A. Never: if any person comes to swear that, they will perjure themselves.

Q. Whether they are converted to Christianity or not?

A. Yes.

Q. Did you call on such a person twice?

A. I never called on any person in company with Edwards.

Q. Do you know a person of the name of Stephen Whatman?

A. I do not.

Q. I am going back three years: did you know such a person at that period?

A. I do not know that ever I did in my life.

Q. Three years ago—that would be 1817?

A. I was then in France.

Q. How long have you been returned from thence?

A. Two years the 10th of next month to London.

Q. Had you at any time a conversation with a man living in Kingsland Road about the Tower, and using Cashman as a watch word.

A. I had nothing to do with Cashman's concern.

Q. Did you ever tell any person to speak about the Tower, and to use Cashman as a watch word?

A. Never in my life.

Q. After this affair was over in Cato Street, did you take any ammunition back any where?

A. No, after I left the room; I will tell you the last time I had any ammunition in my hand; I am going to state a thing I have not told before:—Hall was the man that brought me a pistol, and brought me five rounds of ball-cartridges. I loaded the pistol, and laid it on the end of the bench next to me, and there lay the pistol when the officers came into the room. I have never handled a pistol since; and the four rounds of ball-cartridges I had left, after I loaded the pistol, I throwed them away in the room as I came out.

Q. Had you to carry the large grenade?

A. I never had it in my hand. I saw it.

Q. Did you carry it back to Tidd's the day after?

A. If you will believe me what I am about to say, here is the fact. I went home on the Wednesday night. I got home about nine o'clock; never did I lay my hand on the latch of the door to go out of it till I was taken by the officers.

Q. Did you ever carry that hand-grenade any where?

A. I never took it up, nor saw it any where but at Brunt's. I can tell you as far as this—I believe I carried some pikes from that room of Brunt's up to Tidd's, this thing has never come out yet—there are a number of things I have not stated yet.

Q. You never carried the hand-grenade at all?

A. No; if you wish to know the principal part of them, I can tell you.

Q. I do not wish to know. Mr. Edwards, I think, was the engineer—he made the fuses?

A. He was making the touch-paper for the fuses that were put in; he was drying them by the fire; my time was too short in the room at that time to see more.

Q. You have not told us what Edwards said at any of these meetings; one said one thing, and one another; what did Edwards say?

A. I cannot pretend to charge my memory that Mr. Edwards was a man that I ever can charge my memory with a score of words that the man said; he had very little to say, and what he had to say to Mr. Thistlewood and Mr. Brunt, and Harrison, it was always in a side-winded kind of way whispered to them.

Q. You never heard from Edwards since you have been in confinement?

A. Never.

Q. You forgot to tell us the story about the one-pound note to treat the men, you told us on Monday?

A. I had nothing to do with that to-day; it does not belong to this man's crime; I suppose I shall not have to

state all the things every time; if I thought I should I would prepare myself.

Q. You told us about six shillings, and one shilling and seven pence,—that was all the money you ever saw—by whom were they given?

A. The six shillings was given by Thistlewood to Brunt.

Q. What was the one shilling done with?

A. I have not stated that to my knowledge.

Q. The paper that Edwards mentioned the dinner in was the New Times, was not it?

A. Yes it was.

Q. That was the paper that was brought and contained the article.

A. Yes, I dare say you will find it in the New Times of February the 22d.

Q. I see the last question put you on cross-examination was, whether you knew who put the candle out, and you said you did not?

A. I do not.

Q. There was but one candle?

A. There was but one candle, and that candle, as soon as ever the pistol was fired, went out; and, as I said, whether the candle was put out intentionally, or the report of the pistol put it out, I cannot tell.

Eleanor Walker, sworn.

Examined by Mr. Gurney.

Q. I believe you are the niece and the servant of Mrs. Rogers, No. 4, Fox Court, Gray's-Inn Lane?

A. Yes.

Q. Do you know the prisoner Brunt?

A. Yes.

Q. Did he lodge at your master's house?

A. Yes.

Q. Had he lodged there many months before last January?

A. He had lodged there about a twelvemonth as nearly as I can recollect.

Q. What rooms did he occupy?

A. Two rooms—front rooms.

Q. On the two pair of stairs floor?

A. Yes.

Q. In the month of January last do you remember his introducing to you any other person to take a lodging?

A. Yes.

Q. Who was that?

A. He did not tell me the name.

Q. Did you afterwards find what the name was?

A. No, I did not know it till I saw his name in the paper, then I found it to be Ings?

Q. Was that the man at the bar?

A. I cannot say.

Q. Do you believe that to be the man?

A. He appears to be something like him, but I cannot swear to him.

Q. Did Brunt tell you in his presence what he was?

A. No, he did not.

Q. Did he tell you what he was?

A. No, neither of them.

Q. What was the rent of the room?

A. Three shillings a-week.

Q. Unfurnished?

A. Yes.

Q. Do you remember for how many weeks he had the room?

A. A month or five weeks.

Q. When he took it did he say any thing about furniture?

A. He said he perhaps might bring in his goods in about a week or better.

Q. Was this the two pair of stairs back room?

A. Yes.

Cross-examined by Mr. Curwood.

Q. What part of the house did you live in?

A. The lower part.

Q. Was that far from the staircase?

A. It was near the staircase, but the door was always shut.

Q. Could ten or twelve men meet once or twice a day without your knowing it?

A. I did not know it.

Q. Was it likely ten or twelve men could go up once or twice a day without your hearing it?

A. I might hear it—I have heard persons come up and down stairs, but I did not see them.

Q. As many as ten or twelve at a time?

A. No, I never heard that.

Q. Ten or twelve in a morning?

A. There might have been, but I did not hear them.

Re-examined by Mr. Gurney.

Q. Is there a door by which the lodgers go up without going through your shop?

A. Yes.

Q. Is that a front door into the Court?

A. The shop door is in the Court, and the private door in a passage.

Q. And that leads to the staircase?

A. Yes.

Q. Is there any back door besides?

A. There is only one back door.

Q. Is there a back door?

A. Yes.

Q. Do you call the door at which the lodgers come in, the back door?

A. Yes.

Q. That is a door coming out of a passage on to the stairs?

A. Yes.

Q. And they came in at that door without coming into your shop at all?

A. Yes.

Mary Rogers sworn.

Examined by Mr. Gurney.

Q. Eleanor Walker is your niece and servant we understand?

A. Yes she is.

Q. You remember the circumstance of her letting your two pair of stairs back room in January last?

A. I do.

Q. How many weeks did this person occupy it?

A. Four or five.

Q. How many did he pay for?

A. Four, and there was one left unpaid.

Q Was the lodging kept till Brunt was taken up?

A. Yes.

Q. During the four or five weeks did you ask Brunt any question as to who the lodger was?

A. I did.

Q. Did he tell you what business he was?

A. He told me he was a butcher out of employ.

Q. Did he tell you what he knew of him?

A. He said he knew nothing of him—only seeing him at the public-house, and hearing him enquire for a lodging.

Q. Do you remember one evening when you were putting your children to bed, seeing any men upon the staircase.

A. I do.

Q. How many men did you see?

A. Three.

Q. Were they going up stairs or going down?

A. Going up stairs.

Q. Was there any thing remarkable in the person of either of the three?

A. The middle man was a black man.

Q. I do not know whether you took sufficient notice of him to speak to him again?

A. No.

Joseph Hale sworn.

Examined by Mr. Gurney.

Q. Are you apprentice to Brunt?

A. Yes.

Q. Did you live with him at his lodging in Fox Court?

A. Yes.

Q. We understand he had the two front rooms, two pair of stairs?

A. Yes.

Q. One to live in and the other to work in?

A. Yes.

Q. Do you know the prisoner, Ings?

A. Yes.

Q. Do you remember his taking any room in that house as a lodging?

A. Yes.

Q. What room was that?

A. A two-pair of stairs back room.

Q. Had you seen him in company with Brunt before the day on which he took that lodging?

A. Yes.

Q. Where had you seen him?

A. In Brunt's workshop.

Q. How long before he took the room?

A. About a fortnight; the first time I saw him in Brunt's room.

Q. Had you seen him more than once before he took the room?

A. I believe I had.

Q. At the time the room was taken, did Ings look at the room alone, or did any person look at it with him?

A. Brunt looked at it with him.

Q. Did you hear either of them say any thing while they were looking at the room?

A. When they came out of it, I heard Brunt say to Ings, " It will do, go and give them a shilling."

Q. Do you remember what day of the week that was?

A. On the Monday.

Q. That evening did Ings come there?

A. Yes.

Q. Did any person come with him?

A. Yes.

Q. Who was that?

A. A man of the name of Hall, a tailor.

Q. How did Ings get into the room?

A. He came and asked Mrs. Brunt for the key.

Q. Did she give him the key?

A. I believe she did.

Q. Did he and Hall go into the room?

A. Yes.

Q. Did you hear any other persons come into the room that evening?

A. Yes, there were others.

Q. From that time, until your master was taken up, did persons use to come to that room?

A. Yes.

Q. At what part of the day had you an opportunity of observing that they came?

A. In the evening.

Q. Had you done work generally at that time?

A. No.

Q. Can you give me the names of the persons who used to come to those meetings in the evening?

A. Yes; Thistlewood, Ings, Davidson, Bradburn, Tidd, Edwards, Adams.

Q. Do you remember Hall?

A. Yes.

Q. Did he come?

A. Yes.

Q. Do you know a man of the name of Potter?

A. Yes.

Q. Did he use to come?

A. Yes.

Q Do you know Strange?

A. Yes.

Q. Did he use to come?

A. Yes.

Q. Was there any furniture in the room?

A. No.

Q. How did they manage for furniture when they came to those meetings?

A. They used to borrow Brunt's chairs to sit on.

Q. Did your master go in in the evenings too when they were there?

A. Yes.

Q. Did you see those persons, or any of them, in your masters room, besides seeing them in this room?

A. Yes.

Q. Did they call each other by their names?

A. Sometimes.

Q. By what name did they generally call Thistlewood?

A. Sometimes *T*, and sometimes *Arthur*.

Q. Do you remember, any day, seeing the door open, and observing any thing in the room?

A. Yes.

Q. What did you see in the room?

A. I saw some long poles like the branches of trees.

Q. Have you at any times heard any work going on in the room?

A. Yes.

Q. What kind of work?

A. I have heard them hammering and sawing.

Q. Your master was taken up, I believe, on Thursday the 24th of February?

A. Yes, he was.

Q. On the Sunday morning before that was there any meeting in that room?

A. Yes.

Q. Were the persons whom you have now named to me present at that meeting?

A. Yes.

Q. Were there any others there besides those?

A. Yes.

Q. Was that a large or a small meeting to the best of your recollection?

A. A larger meeting than what there usually was.

Q. Did they go away all together or one or two at a time?

A. One or two at a time.

Q. Was your master in the room with them?

A. Yes, he was.

Q. After the meeting was over did you see any body in your master's room in company with your master?

A. Yes; Strange.

Q. Had he been at the meeting?

A. Yes, he had.

Q. On Monday evening was there a meeting?

A. Yes.

Q. On Tuesday evening was there another?

A. Yes.

Q. In the course of Wednesday did any number of persons come?

A. There were several persons came up at different times.

Q. At the different times, how many persons can you speak to having seen or heard come up?

A. I cannot say how many; there were several, but I cannot say how many.

Q. At what time in the day did they come?

A. Some in the morning and some in the afternoon.

Q. Do you remember any of them coming into your workshop?

A. Yes.

Q. Who were they?

A. Strange, and a man that I do not know.

Q. At about what time of the day was that?

A. At about two o'clock.

Q. What did Strange and this other man do?

A. They were flinting some pistols.

Q. How many?

A. Five or six.

Q. Did they finish flinting them?

A. No.

Q. What prevented their finishing them?

A. One of the men said there were persons overlooking them, and Brunt told them to go into the back room.

Q. Persons overlooking them from what place?

A. From the opposite houses.

Q. From the windows of the opposite houses?

A. Yes.

Q. Did they then go into the back room?

A. Yes, they did.

Q. Was Brunt in the back room much of that day?

A. Yes, he was in several times.

Q. Did you see Thistlewood there?

A. Yes.

Q. At about what time?

A. About four o'clock.

Q. Did he ask you for any thing?

A. Yes.

Q. For what?

A. For a piece of writing paper.

Q. Did you give him some?

A. Yes.

Q. To what place did he take it?

A. Into the back room.

Q. After that did any person come out of the back room and tell you to do any thing?

A. Yes.

Q. Who was that?

A. Brunt.

Q. What did Brunt tell you to do?

A. To go and get some cartridge paper.

Q. How much?

A. Six sheets.

Q. What money did he give you to pay for it?

A. Six pence.

Q. Did you go and buy six sheets?

A. Yes.

Q. To whom did you give them?

A. To Brunt.

Q. To whom did he take them?

A. Into the back room.

Q. After this did any of them go away?

A. Yes.

Q. Did any of them go into your master's room before they went away that you remember?

A. Yes.

Q. Who was that?

A. I do not know the man's name.

Q. Did your master go away?

A. Yes.

Q. About what time?

A. At about six o'clock.

Q. After Brunt, your master, was gone, did you do any thing respecting your mistress's tea?

A. Yes.

Q. What did she want for the purpose of making tea?

A. She wanted the table.

Q. Where was that table?

A. In the back room.

Q. Did you, at her desire, knock at the back room door and ask for it?

A. Yes.

Q. Who answered you?

A. A man by the name of Potter.

Q. Did he give you out the table?

A. Yes.

Q. Upon the opening of the door did you see whether there were other men in the room besides Potter?

A. Yes.

Q. How many?

A. Four or five, I cannot be certain which.

Q. Was there a fire there?

A. Yes.

Q. In the course of that evening, did you see the prisoner, Tidd?

A. Yes.

Q. Where did you see him?

A. He came to Mrs. Brunt's room.

Q. Upon his coming there, what passed between him and Mrs. Brunt?

A. She took him to the cupboard and showed him a pike head and a sword.

Q. What did she say?

A. She asked him what she could do with them.

Q. What did he say?

A. He told her to give them to him and he would take them away.

Q. Did he take them away?

A. He did.

Q. I do not know whether you have told me about what time that was?

A. Between seven and eight.

Q. Did you see where he went to?

A. He went into the back room.

Q. After that, did you hear any persons go down stairs?

A. Yes.

Q. Did any person come into your mistress's room and deliver any message to her?

A. Yes.

Q. What message?

A. A person came and said if any persons came and enquired they were to be sent to the White Hart.

Q. Shortly after, did any persons come?

A. Yes.

Q. How many?

A. Three.

Q. Did your mistress direct them to the White Hart?

A. They did not know the way to the White Hart, and I went and showed them the way.

Q. When you came back from the White Hart, did you find Potter there?

A. He came while I stood at the door.

Q. Did you tell him the same?

A. Yes, I did.

Q. Did he go, on your telling him? or did you show him the way?

A. He went, on my telling him.

Q. He did not require you to assist him in finding it?

A. No.

Q. At about what time did your master come home?

A. About nine o'clock.

Q. Was there any difference in the condition of his dress from what it had been when he went out?

A. Yes.

Q. What was the difference?

A. His boots were very muddy and the tail of his coat.

Q. Did he appear composed, or otherwise?

A. No, he seemed rather confused.

Q. Did you hear him say any thing to his wife about what had happened?

A. Yes.

Q. What did he say?

A. He told his wife it was all up, or words to that effect.

Q. What more did he say?

A. He said that where he had been there were a lot of officers came in.

Q. What more did he say?

A. Just as he was saying that, a man came in.

Q. Did he say any thing about his life?

A. He said he had saved his life and that was all.

Q. Do you know the name of that person who came in?

A. No, I do not.

Q. What passed between them?

A. He shook hands with him, and asked him if he knew who had informed.

Q. What answer did the man give?

A. He said no.

Q. Did the man say whether any thing had happened to himself?

A. Yes.

Q. What did he say?

A. He said he had had a terrible blow on the side, and was knocked down.

Q. Did you judge from the manner in which they spoke to each other where they had been together?

A. Yes.

Q After that did Brunt say any thing?

A. He went away.

Q. As he was going away, do you remember what Brunt said?

A. He said there was something to be done yet.

Q. And they went away together?

A. Yes.

Q. When they were gone, did your mistress and you go into the back room?

A. Yes.

Q. What did you find there?

A. There were several things in the cupboard.

Q. Was there any thing that was not in the cupboard?

A. Yes, there was a long pole that stood in the corner of the room.

Q. What was there in the cupboard?

A. Several rolls of brown paper and tar.

Q. Any other things?

A. Yes, some round balls made with string and tar all over them.

Q. What do you understand them to be?

A. I have heard since that they are hand-grenades.

Q. They are tied over with rope-yarn?

A. Yes.

Q. Were they the things which the officers found the next morning?

A. Yes.

Mr. Gurney. You will see them hereafter, Gentlemen. Was there any iron pot in the room?

A. Yes.

Q. To whom did that iron pot belong?

A. To Brunt.

Q. Any flannel bags?

A. Yes.

Q. Full or empty.

A. There were two of them full of something.

Q. Were the things left there?

A. Yes.

Q. Did your master come home again?

A. Yes.

Q. At about what time?

A. About eleven o'clock.

Q. Did he give you any directions what to do in the morning?

A. Yes.

Q. What were they?

A. He told me to get up as soon as I could, and clean his boots.

Q. In the morning did you do so?

A. Yes.

Q. After you had done that, did your master ask you any question?

A. Yes.

Q. What?

A. He asked me if I knew the Borough. I told him yes. He asked me if I knew Snow's Fields. I told him no.

Q. Did he then give you any directions how to find Snow's Fields?

A. Yes.

Q. Did he tell you whom he wanted you to go to there.

A. Yes, he told me I was to go to Potter, Kirby Street, Snow's Fields.

Q. After that, did he take you into the back room?

A. Yes.

Q. Did he desire you to bring any thing there?

A. Yes, a rush basket.

Q. Was there any other besides the one you took?

A. Yes.

Q. Who took that?

A. Brunt.

Q. Did he tell you what to do with respect to those baskets?

A. Yes, to put those things into the baskets.

Q. The things you had seen the night before?

A. Yes.

Q. Did you put the things into the two baskets which you had seen the night before?

A: Yes.

Q. Was any thing then done with respect to either of the baskets?

A. Yes, one of them was tied up in a blue apron of Mrs. Brunt's.

Q. To what use had that blue apron been before applied?

A. It had been used as a curtain to the window of the back room.

Q. Was the other tied up?

A. No.

Q. How happened that?

A. Brunt went into his own room to look for something to tie it up in, and two officers came in.

Q. Two Police officers?

A. Yes.

Q. And they apprehended him?

A. Yes.

Q. I am not sure whether I asked you as to the number who met there on the Sunday—can you speak to the number?

A. There were about twenty, I think.

Cross-examined by Mr. Curwood.

Q. I think you told us on Monday or Tuesday, that when you found the brown paper, you found some pieces of cartridge-paper along with it?

A. One piece of cartridge-paper.

Q. Were not you surprised at those meetings?

A. Not particularly.

Q. Of course, perhaps you knew what they were about?

A. No.

Q. Were not you surprised when you found meetings, and their having arms together there?

A. I never saw any arms except in Brunt's room.

Q. You saw them putting some flints into pistols there?

A. Yes.

Q. Had not you any knowledge what that was for?

A. No.

Q. You knew nothing about it?

A. No.

Q. Were you ever in a court of justice before?

A. No.

Q. Were you ever before a magistrate?

A. Never till I was examined about this business.

Q. Never about any business of your own?

A. No, never.

Thomas Smart sworn.

Examined by Mr. Littledale.

Q. I believe you are one of the watchmen of the night in the parish of Saint George, Hanover Square?

A. Yes.

Q. Do you remember on the night of Tuesday the 22d February last, being on watch?

A. Yes, perfectly well.

Q. Were you on watch in Grosvenor-square?

A. Yes.

Q. Did you see any people there that attracted your attention?

A. I saw four people, very suspicious characters.

Q. At what time?

A. About half-past eight, or a quarter before nine.

Q. Was one of those people a man of colour?

A. One man was a man of colour, and there was a tall man along with him.

Q. You say they were suspicious looking people, what were they apparently doing?

A. Peeping down the areas, and watching as if they were about no good.

Q. What time did you leave your watch?

A. Seven o'clock in the morning.

Q. Was Bissix a watchman at the time with you?

A. Yes, he and I met every half-hour at the end of our round, and I told him there were four suspicious characters, and to keep a look out after them.

Charles Bissix sworn.

Examined by Mr. Littledale.

Q. Are you one of the watchmen of Saint George, Hanover-square?

A. Yes, in Grosvenor-square.

Q. Do you remember seeing any body that attracted your attention on the 22d of February?

A. On the 22d, as I was calling "half-past eight," being then at the end of my call, and therefore about a quarter before nine, on the same side on which Lord Harrowby lives, there were two men passed me, one a dark man.

Q. Do you mean a man of colour?

A. Yes, it was a little darkish, within about a quarter of nine, and he asked "watchman, is it almost nine o'clock," that is the dark man—I said, "it is not nine yet, but within a few minutes of it;" that was the answer I made.

Henry Gillan sworn.

Examined by Mr. Bolland.

Q. Do you live at number 15 Mount Street, Berkeley Square?

A. Yes.

Q. Do you ever use the Rising Sun public-house?

A. Yes.

Q. Where is that?

A. The corner of Charles Street, and Adams Mews.

Q. Do you recollect being there any night, and playing at dominos?

A. Yes.

Q. When was that?

A. On Tuesday the 22d of February.

Q. With whom did you play?

A. With Brunt.

Q. What time of the evening was it when you first saw him?
A. Between nine and ten o'clock.
Q. Had you been in the public-house before he came?
A. Yes.
Q. He came in between nine and ten?
A. Yes.
Q. Was he alone or in company?
A. There was another man with him.
Q. Had they any refreshment?
A Yes.
Q. What?
A. Some bread and cheese and some porter.
Q. How long did you play at dominos?
A. About half an hour.
Q. Did you leave the public-house before they went, or they first?
A. I left first.
Q. What time did you go?
A. About ten o'clock I think it might be.

Cross-examined by Mr. Curwood.

Q. How do you know it was the 22d?
A. By the list I have when I carry out medicines.
Q. Have you that list with you now?
A. No.
Q. That is the only recollection you have of it?
A. Yes, it is.

John Hector Morison, sworn.

Examined by Mr. Bolland.

Q. Are you journeyman to Mr. Henry Thomas Underwood?
A. Yes.
Q. He is a cutler?
A. Yes.

Q. Where does he live?

A. In Drury Lane.

Q. Were you with him at Chistmas last?

A. Yes.

Q. Do you remember at Christmas last any person bringing you a sword to sharpen?

A. A person brought one on Christmas-eve to be ground.

Q. How was he dressed?

A. He was dressed like a butcher.

Q. Should you know the person of the man?

A. Yes.

Q. Look at the prisoner and say whether he was the man?

A. That is the man.

Q. Did he call again for the sword?

A. He called three days afterwards for the sword, and paid me nine-pence for doing it.

Q. Did he give you any particular directions about the first?

A. Yes, to grind the point particularly sharp, and to make it cut both back and edge.

Q. Do you mean the point?

A. Yes.

Q. Was that a cut and thrust sword, or a sabre?

A. A very short sabre.

Q. You did according to the directions?

A. Yes.

Q. Did he bring you any other work?

A. Yes, about a fortnight after another sword, a very long one, a sabre—he told me to grind that as I had done the first.

Q. Did he give any name?

A. It is customary for us to ask the name, and to the best of my recollection he said Eames, it might be Ings.

Edward Simpson sworn.

Examined by Mr. Bolland.

Q. Are you Corporal-Major in the Second Life Guards?

A. Yes.

Q. Do you know a man of the name of Harrison, one of the prisoners?

A. I know a man by the name of John Harrison.

Q. Was he formerly in your regiment?

A. Yes, he was.

Q. Do you know whether Harrison was ever on duty at King Street Barracks?

A. Yes, I am certain he was.

Q. How long was he there?

A. In the regiment?

Q. No—at those barracks?

A I cannot say exactly.

Q. Was he there time enough to know the state of them, and where the different things were kept in the rooms?

A. Yes.

Q. Would his duty make him well acquainted with them?

A. Yes, perfectly acquainted with them.

Q. Do they join upon Gloucester Mews?

A. Part of them do.

Q. Are there any windows looking to the Mews?

A. There were formerly.

Q. How long have those windows been stopped up?

A. They were stopped up two or three days after the affair of Cato Street.

Q. Was there any straw or hay or other combustible matter in any rooms communicating with those windows?

A. There was straw in the room communicating with the window and hay likewise.

Q. If fire had been thrown into those windows and communicated with the straw, would the consequence have been the destruction of the barracks?

A. Most undoubtedly it would.

James Aldous sworn.

Examined by Mr. Bolland.

Q. I believe you are a pawnbroker?

A. Yes.

Q. Where do you carry on your business?

A. In Berwick Street, Soho.

Q. Do you know the prisoner, Davidson, the man of colour?

A. Yes.

Q. Did he, at any time, pledge with you a brass barrelled blunderbuss?

A. Yes, he did.

Q. Did he leave it with you, or take it out of pawn?

A. He redeemed it.

Q. When was that?

A. On the 23d of February.

Q. At what time of the day?

A. In the morning.

Q. Did he say any thing to you at the time he took it out?

A. No, he did not.

Q. You have seen that blunderbuss again?

A. I have.

Q. Did you see it in Court the other day?

A. No, I have not.

Q. You have seen it at Bow Street?

A. No, I saw it at Portman Street Barracks.

Q. Who shewed it you?

A. Mr. Ruthven.

Thomas Hiden sworn.

Examined by Mr. Gurney.

Q. I believe you have carried on the business of a Cowkeeper and Dairyman in Manchester Mews?

A. Yes, I have.

Q. Do you know a man of the name of Wilson?

A. I do.

Q. The prisoner?

A. Yes, the prisoner at the bar.

Q. Had you known him some months before last February?

A. I had.

Q. Shortly before the 23d of February, did he make any proposition to you?

A. He did, he met me and asked me if I would be one of a party who were going to meet to destroy his Majesty's Ministers.

Q. To destroy them where?

A. He told me they had got such things as I never saw, and that they had got all ready and were waiting for a Cabinet dinner.

Q. Did he say what those things you had never seen were?

A. He said that some of them were made of tarpaulin, and some of tin, bound round with cord, and that their strength was such, that if it was set fire to, it would heave up the walls in front of the houses where we were walking.

Q. Did he say what they were for?

A. He said it was to destroy his Majesty's ministers; that they were waiting for a Cabinet dinner, and when there was a Cabinet dinner they would let me know; and he said they were to light up some fires.

Q. Did he say where?

A. He said, I had no cause to be alarmed.

Q. Did he mention any names of persons?

A. He mentioned some houses, he mentioned Lord Harrowby's, the Duke of Wellington's, Lord Sidmouth's, Lord Castlereagh's, the Bishop of London's, and one more that I do not know; he told me that I had no occasion to be afraid, that there was a Gentleman's servant who had furnished them with a certain sum of money, and if they would act upon the subject he would give them a considerable sum more.

Q. Did he say any thing as to what would be the effect of lighting up the fires?

A. He said, from the lighting up of the fires, it would keep the town in a state of confusion, and in a few days it would become general.

Q. Did he tell you what was to be the use of those things such as you had never seen?

A. He told me they were to he lighted with a fuse and

thrown into the room, and all that escaped the explosion were to die by the edge of the sword or some other weapon.

Q. Did he mention to you the name of any person, or offer to introduce you to any person?

A. He told me, if I would make one of the party which they depended upon me for, that Mr. Thistlewood would be glad to see me.

Q. Did you promise to make one?

A. I told him I would make one.

Q. Can you tell me how many days this was before the discovery in Cato Street?

A. I cannot.

Q. Did you go, before that discovery in Cato Street, and give information to any person?

A. I wrote a note to try to see Lord Harrowby and Lord Castlereagh.

Q. To whom did you address your letter?

A. I wrote to Lord Castlereagh.

Q. How soon was that, do you think, after you had seen Wilson?

A. It might be two or three days.

Q. Did you deliver your letter to Lord Castlereagh or not?

A. I did not; I went, but could not see him.

Q. Did you deliver it to Lord Harrowby?

A I did.

Q. Where did you deliver it to him?

A. I delivered it to him in Hyde Park, at Grosvenor Gate.

Q. Do you remember the day that was?

A. I do not.

Q. On the day of the discovery of the persons in Cato Street, did you see this man, Wilson, again?

A. I did; he met me in Manchester Street, as I was going home, with a little girl in my hand.

Q. What did Wilson say to you?

A. He met me and said, "Hiden, you are the very man I want to see." I said, "Wilson, what is there going to

be?" He said, "To-night there is a Cabinet dinner at Lord Harrowby's, Grosvenor Square."

Q. What more did he say?

A. He said I was to be sure to come: I asked him where I should come, and he said I was to come up to John Street to the Horse and Groom.

Q. What were you to do then?

A. He told me I was to go into the public house, the Horse and Groom, or to stand at the corner of Cato Street till I was shoved into a stable. I was to meet him at a quarter before six, or by six o'clock.

Q. Did you ask him any question as to numbers?

A. I asked him how many there were going to be: he said, about twenty or thirty there: I asked him if that was all that was going to be: he said, it was not all, there were to be four divisions; there was a party in the Borough, another in Gray's-Inn Lane, another in the City, or in Gee's Court, I am not certain which.

Q. Did he say any thing more respecting Gee's Court?

A. He said all Gee's Court was in it, but they would not act unless the English began first, for they had been deceived so many times, they would not begin unless the English began first.

Q. What country men do you understand inhabited Gee's Court.

A. I understand Irishmen; he told me Irishmen; he said all the Irish were in it.

Q. That they would not act unless the English began?

A. No, for they had been deceived so many times before.

Q. Did he tell you any thing about any place in the city?

A. He said, after they had been at Grosvenor Square, they meant to retreat to somewhere about the Mansion House; that was where all parties were to meet.

Q. Did he tell you any thing about what was to be done in other places?

A. He said there were some cannon they could get very easily, two pieces in Gray's-Inn Lane, by knocking in of a small door.

Q. Any thing more than knocking in a door?

A. Nothing more than breaking in a small door.

Q. Did he mention any other?

A. He said that there were four pieces at another artillery ground, which they could get by only killing the sentry, but I forget where that artillery ground was.

Q. Did you promise him to come?

A. I told him I would come; I was to be sure to be there by six, or a quarter before six.

Q. Did you go to John Street that evening?

A. I went to John Street, but I was behind my time in consequence of business.

Q. At what time did you go there?

A. I think it was nearly seven o'clock.

Q. Did you see the prisoner, Wilson, there?

A. I saw Wilson and Davidson.

Q. Davidson is the man of colour?

A. Yes, he is.

Q. Where were they standing?

A. They were standing at the post, the corner of Cato Street.

Q. Do you know Davidson again?

A. Yes, I had known him a long time before.

Q. When you met there what passed?

A. They said "you are behind your time." I said, yes, I could not keep it.

Q. Pass over that—what further did he say?

A. He asked if I was going in, saying Mr. Thistlewood was there.

Q. What answer did you give?

A. I told him I could not go in, for I must go and get some cream where I could. I asked him what time they would go away from there.

Q. What did he say?

A. He told me they would go away from there about eight o'clock, and if they were gone away from there I was to follow them down into Grosvenor Square.

Q. Did he describe the house to you?

A. He said the lower side, the fourth house from the further corner, that I should find them.

Q. Was any thing more said?

A. Davidson said—"come you dog, come, it is the best thing you were ever in in your life."

Q. Is that the letter you delivered to Lord Harrowby, *(shewing it to the witness.)*

A. Yes it is.

Cross-examined by Mr. Adolphus.

Q. Is this your own writing?

A. Yes it is.

Q. How long have you been a cow-keeper?

A. I have been a cow-keeper these four or five years. I have been a milk-man longer than that.

Q. How long?

A. About five years.

Q. Before that you were a shoe-maker?

A. No.

Q. I thought you said you belonged to a shoe-maker's club. I thought by that you were a shoe-maker?

A. No, I never was.

Q. What trade were you originally?

A. I am no trade at all.

Q. What were you before that?

A. I have been a gentleman's servant, and was brought up to farming in the country.

Q. Five years ago, were you a gentleman's servant?

A. More than five years ago.

Q. What gentleman's service were your last in?

A. The last place I lived in was Colonel Bridges, in South Audley Street.

Q. How long ago?

A. I cannot tell.

Q. You must tell me a little better than that?

A. I dare say it is six years ago.

Q. Cannot you speak more precisely?

A. It may be seven years.

Q. What number in South Audley Street?

A. I believe it is 69.

Q. Did he keep house there, or was he a lodger?

A. A lodging-house, I believe it was, but he had the whole of the house.

Q. Whether it was a hired house, furnished by him, or taken furnished, you do not know?

A. No.

Q. How long did you live with him?

A. No great time; I cannot say exactly.

Q. How long?

A. It might be a month, or it might be two or three months.

Q. Will you swear it was a fortnight?

A. Yes, it was more than a fortnight.

Q. Was it three weeks?

A. Yes it was.

Q. Was it more than a month?

A. I cannot say, this was my last place of service.

Q. Whom have you ever served for any length of time. I should like to know some place where you had some settlement of abode?

A. I lived with Major Dive, in Tavistock-street, Bedford-square, a year and three months.

Q. In what year?

A. I think the year 1810.

Q. Is he alive or dead?

A. He was alive a little while ago.

Q. As what—in what capacity?

A. As footman, there was only me there.

Q. Did you go directly from him to Colonel Bridges?

A. No I did not.

Q. Where did you go to then?

A. I went and lived a little while with a gentleman in Stratton Street, a gentleman of the name of Brice.

Q. For the last five years you have been either a milkman or a cow-keeper?

A. Yes.

Q. How long have you lived in Manchester Mews?

A. Going on of three years.

Q. Have you always lived there the whole of that time?

A. My family have lived there.

Q. Have you always lived there the whole of that time?

A. My family have lived there; I have not been at home all the time myself.

Q. How much of the time have you been away from home?

A. I cannot justly say; two, or three, or four months.

Q. Where do you live now?

A. I am over in the bench now, that is my home now: I am not actually in the place.

Q. Where have you lived—in the Rules of the Bench?

A. I am not in the Rules of the Bench, I am in the Marshalsea.

Q. In the prison of the Marshalsea?

A. Yes.

Q. You are not in the Bench, but in the Marshalsea; how came you to say the Bench?

A. No; I did not say in the Bench, to my knowledge, I did not mean it, however.

Q. Did you not say, just now, that you were in the Bench; look at the jury, and answer?

A. If I said so I meant to say in the Marshalsea.

Q. Did you say so or not, I want no ifs?

A. I am in the Marshalsea.

Q. Did you not say, just this minute, that you were in the Bench?

A. I cannot say that I did.

Q. Will you, upon your oath, deny that you said so?

A. No, I cannot say.

Q. You cannot say, upon your oath, whether you did or not?

A. No.

Q. You are in the Marshalsea?

A. Yes.

Q. For how much?

A. For about £18 : 2s. and odd.

Q. Due to whom?

A. To Mr. Powell.

Q. What is he?

A. He is a milkman and cow-keeper, I believe.

Q. How long have you been in the Marshalsea at his suit?

A. I went in last Saturday.

Q. Are you there in execution or on a bailable writ?

A. I went in in execution.

Q. How long before that had you been sued by Mr. Powell?

A. It is some time ago, some time the beginning of last summer; I do not know exactly the time.

Q. How did you keep off going in so long?

A. I was out of the way for about two months, or from that to three months.

Q. At what period of the year was that?

A. I do not know at what time of the year it was.

Q. The Jury will not be satisfied with that, you must bring your faculties with you?

A. It may be about June, July, or August.

Q. Was it July or August?

A. It might be about June, or July, or August, or the beginning of September.

Q. Was it so late as October?

A. No, I think not, I was home before October.

Q. Upon your oath, were you at your house in Manchester Mews, as you call it, at any time in July or August, except Sundays?

A. Yes, I was at different times besides Sundays.

Q. Who carried on your business for you?

A. My wife and my sister.

Q. Do they live there and carry on the business now?

A. I do not know that they are living there now, but they carry on the business there.

Mr. Gurney. And my question was, was he living there in February last?

Mr. Adolphus. Did not you swear on Monday that you lived in Manchester Mews?

A. I or my family live there.

Q. Did not you state to-day, or on Monday, that you lived in Manchester Mews?

A. My family.

Q. Do they live there then?

A. They do live there, or did when I left them?

Q. Did not you say, both on Monday and to-day, that you lived in Manchester Mews?

A. I did live in Manchester Mews?

Q. Upon your oath, did you or not say, in that place, on Tuesday last, that you lived on that day, in Manchester Mews.

A. I did not name the day, but I said that day I lived in Manchester Mews.

Q. Did not you answer, being asked where you lived, "In Manchester Mews?"

A. I am living now in this place where I stand, my family lived in Manchester Mews—me and my family when I was taken away.

Q, Did you not say on Tuesday morning, that your place of residence was in Manchester Mews?

A. So it was, my family was there.

Q. Will you swear your family or you lived in Manchester Mews on Tuesday morning?

A. I will swear that my family live there now, for ought I know.

Q. When did you last see any of them?

A. I saw some of my family there when I left.

Q. Where are they living?

A. They are living there now—they have the premises—they go backwards and forwards to them.

Q. Who told you so?

A. My sister told me so to-day, that they go there two or three times a-day, but I do not know that they may be there at this present time.

Q. You mean to refer to the present moment when you give this answer?

A. You put me to it.

Q. And you live where you stand, and you lived at Manchester Mews, except during the time you are standing here, and the time you are in the Marshalsea?

A. Yes.

Q. But whether you have any home or abode there at this present moment you do not know?

A. No.

Q. How long have you known Mr. Davidson, as you spoke of him?

A. I have known Mr. Davidson for these three or four months.

Q. Do you know a Mr. Edwards at all?

A. I do not know Mr. Edwards.

Q. You do not know any such person?

A. No.

Q. Recollect now—try to recollect yourself—do you know Mr. Edwards?

A. I do not know him.

Q. You know no person of that name?

A. I know a person of that name.

Q. Then why do you say you do not know him?

A. I know a good many persons, but they are many miles in the country.

Q. How do you know that I am not enquiring for the very Mr. Edwards you know?

A. It may be so.

Q. How came you to answer that you do not know Mr. Edwards, and then that you do know Mr. Edwards?

A. I know a Mr. Edwards 200 miles in the country, but I should not suppose you meant that Mr. Edwards.

Q. Whom should you suppose I mean?

A. I do not know.

Q. Where did you carry on your business as a milkman before you went to Manchester Mews?

A. In Little Durweston Street, by the Edgware Road.

Q. Have you ever frequented the Scotch Arms?

A. I have been to it twice.

Q. Where is the Scotch Arms?

A. It is in a small Court somewhere down by the Strand.

Q. Did you attend any club or meeting there?

A. I attended to what they call a club—I was there twice.

Q. With whom?

A. I went with a friend.

Q. Has that friend a name?

A. He is a master tailor by the name of Clark.

Q. Why is it called the shoemaker's club?

A. I do not know, it was called so to me.

Q. It was not a radical meeting was it?

A. I do not know what meeting it was—it was reported as a shoemaker's club.

Q. Did politics and affairs of state appear to be the subject of conversation there?

A. I am sure it is so long ago I do not particularly remember.

Q. How long might it be?

A. Seven or eight months, but I am not certain to a month.

Q As you swear so particularly to conversations, was politics the subject of conversation there?

A. I cannot say, for I am not used to those matters.

Q. Was it, or not?

A. I cannot say, whether it was or not.

Q. You never saw any of those Gentlemen at the bar, except Mr. Davidson and Mr. Wilson?

A. No.

Q. And you had no conversation about those matters, except with Wilson?

A. I had some conversation with Davidson.

Q. Where was that—in John Street?

A. Yes.

Q. That was when you went and were so anxious to get your cream?

A. Yes, I had seen Mr. Davidson repeatedly before that.

Q. Had you conversed with him about these particular affairs before that?

A. Yes.

Q. How long was the last time before that you had seen him?

A. I do not know exactly, it might be a week or a fortnight.

Q. Will you swear it was not more than a fortnight?

A. I believe I can.

Q. Had you been at any of the meetings at Fox Court, or any thing of that kind?

A. No, I never was.

Q. Then you did not know any thing of this particular affair till Wilson told you?

A. Not of that, I did not till he told me.

Q. The cream was, of course, a thing of great profit to you?

A. It was.

Q. How much did you get by it?

A. I do not know.

Q. A shilling?

A. Oh, yes.

Q. Half a crown?

A. More than a shilling.

Q. By that particular order?

A. Perhaps, I might gain two or three.

Q. For whom was it?

A. It was for a family, but I could not state the name.

Q. What family was it?

A. A family in Princes-street.

Q. Name them?

A. I do not know their names, but I have served them for three or four years.

Q. What number in Princes Street?

A. I believe it to be number six.

Q. Princes Street where?

A. Princes Street, Cavendish Square.

Q. Are they house-keepers, or lodgers, or what?

A. They have the house, I believe.

Q. You have served them, how long?

A. Three years I believe, it may be something more, or it may not be so long—I believe it is about three years.

Q. You do not know their names?

A. I do not know their names.

Q. And you had an order from them for cream that afternoon which you could not execute?

A. Repeatedly I have had.

Q. You had an order from them for cream that afternoon?

A. Yes.

Q. What servant gave you the order? a female or a male servant?

A. Our people brought home the order, I did not see them.

Q. What people?

A. My wife.

Q. Did you see any person at the house on the subject of it?

A. I did not go to the house.

Q. Who informed them you could not get it?

A. My wife, or my sister did.

Q. You do not know the name?

A. No, I do not.

Q. Whom do you see when you go there?

A. I do not serve them, my wife does, I believe they do not keep a man servant.

Q. Were you ever at the house in your life?

A. Many a time.

Q. What servant have you seen there?

A. I have seen maid servants.

Q. When were you there last?

A. I cannot say.

Q. How long before the 23rd of February?

A. I am not able to say.

Q. Do you serve them daily?

A. Yes.

Q. This is the family at number six, Princes Street, Cavendish Square?

A. Yes.

Q. What quantity of cream was ordered for that night?

A. I really do not know, I have forgot.

Q. And yet you know that you were to get two or three shillings by it?

A. We get a shilling a pint.

Q. You are not able to say what was the quantity?

A. No.

Q. That will not do; we shall probably send there to enquire?

A. You may do so if you please.

Q. How much cream was ordered for that night?

A. It has slipped my memory.

Q. You can only remember that you were to get some two or three shillings by it?

A. I only know I went for cream.

Q. Was it more than a quart?

A. I believe it was.

Q. I ask you again, was it or not more than a quart?

A. I am not able to say indeed.

Q. You will not indulge me with the name of any servant in that house?

A. I am not able.

Q. Do you call the servants Mary, Molly, or Betty, or what?

A. I cannot say indeed, we have a many without any bill every week.

Q. Was it the first time or second time you met with Wilson that the expression was used, you had no occasion to be alarmed, for there was a gentleman's servant supplied money?

A. It was the first time.

Q. Upon your oath, did you not as positively swear, on Tuesday last, it was the second time, on the 23rd of February?

A. No, I did not say it was the first or second time last Tuesday.

Q. Upon your oath, was not it part of your narrative of the 23rd of February, that he said there was a gentleman's servant supplied money?

A. He repeated it more than once or twice?

Q. At two separate interviews?

A. At two different times.

Q. At two different interviews you met him but twice?

A. I had seen him many times.

Q. How long had you been acquainted with him before this?

A. I have been acquainted with him this long time.

Q. How long?

A. A great while; I met him at a tailor's where I used to go repeatedly.

Q. How long had you not seen him before you met him the first time, when you talked to him on this business?

A. I saw him a great number of times before, long before.

Q. Was it at any of those times that he told you a gentleman's servant supplied them with money?

A. He told me when I met him in the street on the 23rd.

Q. Had he ever told you so before?

A. I do not remember that he had: he said his master was a ministerial man.

Q. Had he ever told you so before those two times?

A. I cannot swear that he had or had not.

Q. Why did not you tell us on Tuesday that he told you so at the first interview?

A. I told you that he said so.

Q. That would have been something more to have told Lord Harrowby?

A. I do not know.

Q. Why did not you tell us that last Tuesday?

A. He told me so repeatedly.

Q. How many times do you mean by repeatedly?

A. He told me so twice.

Q. That you call repeatedly?

A. Yes.

Q. Did you go up into the room in Cato Street, or only speak to Davidson at the door?

A. I never went into Cato Street, only to the corner of John Street.

Re-examined by Mr. Gurney.

Q. Did you continue to carry on your business at Manchester Mews till last Saturday?

A. My family.

Q. Were you then arrested and taken to the Marshalsea?

A. I was.

Q. Have you remained in custody ever since, except on your coming up here with an officer?

A. Yes.

Q. As far as you know, do your family remain there still?

A. They have got the premises now.

Q. About this house, in Prince's Street, you said, to the best of your recollection it is number six; are you positive of that or not?

A. I think it is number six.

Q. Your wife generally serves?

A. She does.

Q. Sometimes you have gone there?

A. Yes, sometimes I have.

Mr. Adolphus. My Lord I understood him to say positively it was number six.

Mr. Gurney. No, he did not.

Mr. Adolphus. Will your Lordship have the goodness to permit me to ask as to the description of the house—if he will not swear positively to the number.

Mr. Gurney. I will ask those questions with pleasure—how does the house stand?

A. I think it is the first door on the left hand side from the square going down to Oxford Street.

Q. Is there any name on the door that you remember?

A. I do not remember.

Q. The first door from whence?

A. Going from Cavendish Square down into Oxford Street, on the left hand side.

The Earl of Harrowby sworn.

Examined by Mr. Gurney.

Q. Your Lordship is president of His Majesty's Privy Council?

A. I am.

Q. Is it usual for the members of His Majesty's Privy Council, who form what is commonly called the Cabinet, to have dinners at each other's houses?

A. It is.

Q. In the month of February last had those dinners been interrupted by the death of his late Majesty?

A. They had.

Q. Did your Lordship cause cards to be issued inviting the members of the Cabinet Council to dine with you on Wednesday the 23d of February?

A. I did the latter end of the preceding week.

Q. If nothing had occurred would that dinner have taken place?

A. Certainly.

Q. Will your Lordship have the goodness to enumerate the company who would then have been assembled?

A. The Lord Chancellor, the Earl of Liverpool, first Lord of the Treasury—Mr. Vansittart, Chancellor of the Exchequer—Earl Bathurst, Secretary of State for the Colonial Department—Lord Castlereagh, Secretary of State for the Foreign Department—Lord Sidmouth, Secretary of State for the Home Department—Lord Melville, First Lord of the Admiralty—the Earl of Westmoreland, Lord Privy Seal—the Duke of Wellington, Master of the Ordnance—Mr. Canning, President of the India Board—Mr. Bathurst, Chancellor of the Duchy of Lancaster—Mr. Wellesley Pole, Master of the Mint—the Earl of Mulgrave, and Mr. Robinson, President of the Board of Trade.

Q. Fourteen besides your Lordship?

A. Yes.

Q. Are all those whom you have named my Lord, members of the Privy Council?

A. They are.

Q. Your Lordship's house we have heard is situate in Grosvenor Square?

A. On the south side of Grosvenor Square, next door to the Archbishop of York's.

Q. On Tuesday the 22d of February was your Lordship riding in the Park?

A. I was.

Q. Were you accosted by a person of the name of Hiden?

A. I was accosted by a person whose name I did not know, but now know it to be Hiden.

Q. Did he deliver that letter to your Lordship, addressed to my Lord Castlereagh, (*handing it to his Lordship.*)

A. He did.

Q. Did he speak to you of it as of business of immediate importance?

A. He spoke to me of it as of business materially importing Lord Castlereagh, as well as myself, and some others, and wished it to be delivered immediately to my Lord Castlereagh.

Q. I believe your Lordship was going at that moment to the Council, and delivered it to Lord Castlereagh shortly after?

A. I was going home to dress for a Council at Carlton Palace, and not finding Lord Castlereagh there, I dispatched it with a note from myself to Lord Castlereagh.

Q. Did Hiden, at your Lordship's desire, give you his card?

A. He did,

Q. Did you meet him the next morning in Hyde Park, by some appointment you made?

A. I did.

Q. In the plantation in the Park?

A. I met him in the plantation in the place which is called the ring.

Q. I am not at liberty to ask your Lordship the particulars of the communication he made to you, but did he

communicate to you, that there was any plan of attacking the Cabinet ministers at your house.

A. That communication is contained in the letter—he made a communication in more general terms.

Q. In consequence of the information you received, did your Lordship and the other members of the Cabinet alter the plan of the dinner?

A. The plan of the dinner was given up for that day.

Q. Your Lordship dined at Fife House, at Lord Liverpool's?

A. I did.

Q. Did the preparations at your Lordship's house proceed as if the company had been to dine there?

A. They proceeded as if the company had been to dine there, till they were stopped by a note I sent from Lord Liverpool's, to inform my servant that they would not dine there, which, being dispatched between seven and eight from Fife House, I conceived reached my own house about eight o'clock.

Q. You had concealed from your servant the alteration of the plan?

A. Yes.

Cross-examined by Mr. Curwood.

Q. I must ask your Lordship a question—you said before, I believe, you had some intimation of this before that letter was delivered to you.

A. Yes, I did.

Q. Did not your Lordship know, or had not you regular communications of all that passed at those meetings?

A. I had no communication of what passed at any of those meetings personally.

Q. You had intimation that something of the kind was in contemplation?

A. We had an intimation at a period antecedent to this, of a design somewhat of this kind being in contemplation.

Mr. Gurney. I beg your Lordship's pardon, but I omitted to point out to you Hiden; is that the person who made the communication to your lordship?

A. He is.

John Baker sworn.

Examined by Mr. Gurney.

Q. Are you Lord Harrowby's butler?

A. Yes.

Q. Did you by his Lordship's direction issue cards of invitation for a Cabinet dinner, on Wednesday the 23rd of February?

A. I did.

Ings. My Lord, here are three or four of the witnesses in Court, giving each other their evidence.

Mr. Gurney. They may go out of Court, they will not be wanted again.—On what day did you issue the cards?

A. Either the 18th or 19th; I believe Saturday the 19th.

Q. We have understood that the preparations went on till a late hour in the evening?

A. They did till about eight.

Q. When did you receive notice from his Lordship that the dinner would not take place?

A. It might be about eight o'clock, or ten minutes after.

Q. To that period neither you nor any of the servants knew it would not take place?

A. No, they did not.

John Monument sworn.

Examined by Mr. Solicitor General.

Q. I believe you come here in custody?

A. I do.

Q. You are a prisoner in the Tower?

A. Yes.

Q. Do you remember at any time meeting Thistlewood at the house of a person of the name of Ford?

A. Yes.

Q. As nearly as you can recollect how long is that since?

A. I suppose it was between two and three months before the meeting in Cato Street.

Q. After you had so met him, did he call upon you?

A. Yes.

Q. How soon afterwards?

A. I suppose about a fortnight or three weeks.

Q. Did he call alone, or was there any person in company with him?

A. The prisoner Brunt was in company with him.

Q. Was any person in the room besides yourself, when he called?

A. Yes, my mother and my brother.

Q. How long did he stay with you?

A. I suppose he was in the room about five minutes, when he called me to the outside of the door, saying he wished to speak with me.

Q. When you went outside the door with him did Brunt go with him or not?

A. No, he did not.

Q. You and he went outside the door?

A. Yes.

Q. What did he then say to you?

A. He said that great events were at hand; that people were every where anxious for a change; that he had been promised support by many people who had deceived him, but now he had got men that would stand by him.

Q. What did he say further in that conversation?

A. He asked me whether I had any arms.

Q. What did you say?

A. I told him, no.

Q. What did he answer to that?

A. He said that no man should be without arms; he said every man that belonged to him had got some; some had got a sabre, some had got a pistol, and some a pike: he said that I might buy a pistol for about four or five shillings.

I said I had no money to buy pistols; he then said he would see what he could do.

Q. Do you recollect whether any further conversation took place at that time?

A. No, I do not think there did.

Q. After that conversation passed did you return again into the room?

A. Yes.

Q. Did Brunt and Thistlewood go away together?

A. Yes, they did.

Q. After this interview did Brunt call upon you by himself?

A. Yes, he did.

Q. How soon afterwards did he call?

A. About two or three days, I believe.

Q. Did any thing particular pass at that interview?

A. No, I do not recollect that there did: he said he was in a hurry, that there were several people down stairs waiting for him, and he was going to call on several men, people in our trade.

Q. Do you remember Brunt calling upon you on Tuesday the 22d of February?

A. Yes.

Q. Did he call alone or in company with any person?

A. In company with Tidd.

Q. As nearly as you can recollect, at what time of the day?

A. I think it was between two and three o'clock.

Q. When he called, at that time, will you tell us what passed then?

A. Yes; I said I thought I had lost you: he said the King's death had made an alteration in their plans. I asked him what plans: he said there would be a meeting, on the following evening, at Tyburn Turnpike, where I should know all the particulars.

Q. What did he say further?

A. He turned round to Tidd, and asked whether he should give me the word; and Tidd said, yes, he supposed there was no danger.

Q. Upon that, what did he say?

A. He told me if I saw any people about, I was to go to them and say *b, u, t*, and if they were friends they would answer *t, o, n*.

Q. Making the word *button*?

A. Yes; he then said he would be at our house the following morning and tell me further particulars.

Q. Did any thing more pass at that meeting!

A. No; he and Tidd then went away.

Q. On the following day did Brunt call upon you, on the Wednesday?

A. Yes.

Q. About what hour?

A. Between four and five.

Q. Did he call alone, or in company?

A. Alone.

Q. What did he say?

A. He called me down stairs.

Q. Was any body in the room above stairs?

A. Yes, my mother: he told me he wanted me to go in half an hour with him.

Q. What said you to that?

A. I told him I could not, that I had got some work to do that must be finished, and that I could not go at that time.

Q. What did he then say?

A. He asked me what time the work would be done; I told him not before six o'clock.

Q. Upon your telling him not before six, what did he say to you?

A. He said I must go to Tidd's house, and he told me where Tidd lived.

Q. Where was that?

A. In the Hole-in-the-Wall Passage, Brook's Market.

Q. After he had told you this, did he go away?

A. Yes.

Q. Did you, in pursuance of the directions he had given you, go to Tidd's house?

A. Yes, about half-past six.

Q. Did you find him at home?

A. Yes.

Q. What did he say to you?

A. He said that he was waiting for some more men, and they had not come; and he said that he would not wait later than seven o'clock.

Q. Did any persons arrive before seven?

A. No.

Q. When seven o'clock came, what did Tidd do?

A. He went to a box in a corner of the room, and took out a pistol.

Q. What did he do with it?

A. He put it into a belt which he had got round his body, under a great coat.

Q. What else did he do?

A. He took a bundle of pikes, I suppose about six or eight, wrapped in a piece of brown paper.

Q. Pikes, or the heads of pikes?

A. The heads of pikes, about six or eight.

Q. What did he do with them?

A. He took them in his hand.

Q. Did he take any thing further?

A. Yes, a staff about four feet long.

Q. Did you take notice of that?

A. Yes, it had a hole to receive something at the end?

Q. Where did he then go?

A. He went down stairs, and through Brook Street, into Holborn.

Q. Did you accompany him?

A. Yes I did.

Q. And up Holborn, I suppose?

A. Yes.

Q. While you were going along Holborn, did he state any thing to you, or had you any conversation with him as to the business he was going on?

A. No, in Holborn he gave me the stick to carry.

Q. Where had you conversation with him as to the object?

A. I think as we were going along Oxford-street.

Q. Will you state what that conversation was?

A. I asked him what we were going about, and he said I should know when we got there. I asked him whether we were going to the House of Commons.

Q. What did he say?

A. He said no, there were too many soldiers about there. I then asked him again, and he told me they were going to Grosvenor-square.

Q. Did he say where in Grosvenor-square?

A. No he did not. I asked him whether any one in particular lived there, and he said there was a cabinet dinner there that evening.

Q. Did any thing further pass?

A. No, I do not recollect any thing further.

Q. Where did he conduct you to?

A. To Cato Street.

Q. To what place in Cato Street?

A. Through a gateway, and on the right hand side there was a stable.

Q. When you got to Cato Street to the gateway, what happened?

A. There were two people standing under the gateway.

Q. Do you know who they were?

A. No, it was quite dark, and I did not stand close to them myself; I stood a few steps behind him.

Q. Had he any conversation with those people?

A. Yes, he spoke a few words to them.

Q. After that, did you go into the stable?

A. Yes.

Q. What did you observe on your first entrance into the stable?

A. There were three or four men there, and there was a light, and he asked whether Mr. Thistlewood was up stairs?

Q. What was the answer?

A. Yes, they told him he was.

Q. Did you go up stairs?

A. Yes.

Q. Was there any body in the room up stairs?

A. Yes, I suppose about one, or two, or three-and-twenty people, according to what I could tell.

Q, Was Thistlewood of the number?

A. Yes.

Q. Was there any table, or any thing like a table there?

A. A bench.

Q. What kind of a bench?

A. It seemed to me like a carpenter's bench.

Q. Was there any thing upon it?

A. Yes, a great many swords and pistols.

Q. Did Tidd go up stairs?

A. Yes.

Q. When you got up stairs, after you were there, was any thing said as to what they were going to do?

A. Yes, there was a man in a brown great coat sitting on a low bench on the opposite side from where I entered, and he spoke about the impropriety of going with so small a party as five and twenty men to Lord Harrowby's, and Thistlewood said that that number was quite sufficient, for, supposing Lord Harrowby had sixteen men servants, he only wanted fourteen men to go into the room, and therefore that number was quite sufficient. He then said what should they do when the business was done, when they came out of the room, because most likely a crowd would be about the door, and how should they escape.

Q. That was the man that was addressing Thistlewood?

A. Yes Thistlewood said "You know this is the smallest body—the largest body is already away"—the prisoner Davidson then told him not to throw cold water upon their proceedings.

Q. To whom did he say this?

A. To the man in the brown coat, for if he was afraid of his life he might go, as they could do without them.

Q. By Davidson do you mean the man of colour?

A. Yes—Brunt then said, that sooner than they should leave the business they were going about, he would go into the room by himself, and blow them all up, if he perished with them—he said, "you know we have got that that can do it," or words to that effect—the man in the brown great coat said, though he did not like going with so small a number, yet as they were all for it, he would not be

against it—he then proposed that they should put themselves under the orders of Mr. Thistlewood—Thistlewood said, that every one engaged in that business would have the same honor as himself—he then proposed that the fourteen men to go into the room should volunteer from among the persons that were in the room.

Q. After Thistlewood had so proposed what was done?

A. A few minutes afterwards, I suppose about eleven or twelve or thirteen out of the fourteen, ranged themselves on the other side of the room, and one of them, Tidd, came out to speak to me to say that I might choose my situation, and Thistlewood put him back saying, "you all know your places." I could not understand all that Tidd said to me, I do not recollect any thing particular passing after that, till the officers came into the room.

Q. How soon afterwards did the officers come into the room?

A. I should suppose about five minutes.

Q. What happened when they came into the room?

A. There seemed to be two or three got up stairs before those in the room knew it, and one of those said they were officers, and told them to surrender, and said there was a guard of soldiers below.

Q. Were you afterwards taken into custody in the room?

A. Yes.

Q. And you have been in confinement ever since?

A. Yes.

Cross-examined by Mr. Curwood.

Q. Mr. Thistlewood said, that every man would have equal honor with himself?

A. Yes.

Q. What was to be your honorable post?

A. Indeed I do not know.

Q. What led you there—was it the love of honor?

A. No, it was fear principally that led me there.

Q. What fear could take you there?

A. The day before when Mr. Brunt was at my house

accompanied by Tidd, he said that any one that had engaged in that, and who did not come forward at the time would be destroyed.

Q. Had you then engaged?

A. I had not engaged—he had not asked me no further than to go to the place.

Q. Do you go to a place at the request of any man to do you do not know what?

A. It was foolish, but I certainly did.

Q. You were foolish?

A. Yes, I cannot charge myself with any crime.

Q. You asked as they were going along Oxford Street, whether they were going to the House of Commons?

A. Yes.

Q. Why did you ask that—did you suppose they were going there?

A. I was afraid it was something bad, when I saw him take the arms.

Q. What made you suspect they were going to the House of Commons?

A. I do not know any thing particular that made me suspect that.

Q. To hear the debates perhaps?

A. No.

Q. He told you it was a Cabinet dinner?

A. Yes.

Q. I think you used these words on Tuesday, "And then I fully understood what they were going about?"

A. Yes.

Q. Then what did you fully understand they were going about?

A. I do not know that I said that exactly; but that I asked no further question, because I was certain what it was.

Q. What did you then suppose they were going for?

A. I could not see that they could be going for any thing but to destroy the persons there assembled.

Q. And you would very readily join in any thing of this sort?

A. No, I would not.

Q. Had you belonged to none of those meetings before?

A. To the private meeting do you mean?

Q. Yes, to the private meetings?

A. No, I did not.

Q. How should those wicked men come to ask you, so honest a man, to join in this?

A. I do not know; I had first seen Mr. Thistlewood at Mr. Ford's house.

Q. That was just after the Manchester business?

A. No, about a week before the meeting in Finsbury Market.

Q. When was the Finsbury meeting?

A. I cannot say.

Q. It was after the Manchester meeting?

A. Yes.

Q. Then it was that Mr. Thistlewood told you that he thought all his friends should have arms?

A. Yes.

Q. When Brunt called upon you, you told him you were not ready to go because you had got some work to do?

A. Yes.

Q. What took you to Tidd's if you did not like this business?

A. Because I was afraid.

Q. Why did not you go to a magistrate and tell him your fears?

A. That was a thing I should not like to have done.

Q. He told you there was a bye-word, a pass-word?

A. Yes.

Q. And you very readily agreed to go with him?

A. Not very readily.

Q. You expressed a great deal of reluctance.

A. I cannot say I did, I was afraid to do that.

Q. When you found yourself in a trap and taken, then your conscience came to you, did it?

A. It was to me before, for I never intended to do any thing though I was obliged to go; when I found what

they were upon, my intention was when I got out to have got away from them.

Q. I think you told us of a conversation that Thistlewood or somebody told a man, in a brown coat, if he was afraid to join them he might go away, for they wanted no cowards there?

A. Yes.

Q. Why did not you take advantage of that?

A. I wished, at the time he had said so to me.

Q. You thought it was only the man in the brown coat that might go?

A. Yes.

Q. You joined them from fear?

A. Yes.

Q. You proceeded from fear?

A. I did not know what their proceedings were at first.

Q. You did it at a hazard?

A. I certainly acted very foolishly.

Q. That is very tender, do not you think you acted very infamously.

A. No, I cannot say that.

Thomas Monument sworn.

Examined by Mr. Solicitor General.

Q. I believe the last witness is your brother?

A. Yes.

Q. Did you know of your brother having seen Thistlewood at Ford's?

A. Yes, I had heard him mention it.

Q. Did Thistlewood afterwards call upon him at his lodgings?

A. Yes, he did.

Q. Do you live with your brother?

A. Yes.

Q. Did Thistlewood call alone or in company with any person?

A. He called in company with Brunt.

Q. Did Thistlewood and your brother remain in the room all the time, or what occurred?

A. They remained in the room some time, I suppose about ten minutes, and then Thistlewood asked my brother if he could speak to him.

Q. Upon Thistlewood asking this of your brother, what happened?

A. They went outside the door.

Q. Did they afterwards return into the room?

A. Yes.

Q. Do you remember Brunt calling upon your brother, on Tuesday the 22nd of February?

A. Yes.

Q. Do your recollect the conversation that passed at that time?

A. Yes, I do; Brunt brought a man of the name of Tidd with him, when they came into the room, my brother said to Brunt, " I thought I had lost you," there was something said concerning the King's death.

Q. By whom?

A. My brother, I think, said the King is dead since I saw you.

Q. Do you recollect distinctly what was said about the King's death?

A. No, I cannot recollect exactly—Brunt said the King's death had made some alteration in their plans; my brother said " what plan"—he said their plans were different, they had different objects in view; then Brunt said to Tidd, "suppose we give them the outline of the plan;" but I do not know whether Tidd made any answer, and Brunt told us we were to meet up at Tyburn Turnpike, on the following evening at six o'clock; then they give us the pass word.

Q. What was that?

A. It consisted of the letters *b, u, t.*

Q. Who were to say the letters *b, u, t,*

A. We were, and if any of their party were there, they would answer *t, o, n*; and by that, we should know them.

Q. Was that all that passed at that time, that you recollect?

A. Yes, they went away then.

Q. Do you remember Brunt coming the next day?

A. Yes, it was near five o'clock in the evening.

Q. What did he say?

A. He asked my brother if he was ready to go, he said, he could not go just then, for we were about finishing some work; he told him, if he called upon Tidd in Hole-in-the-wall Passage, he would take him.

Q. What time did your brother go, as nearly as you can recollect?

A. It was within a very few minutes of seven o'clock, when he left off.

Q. You did not see him again that night?

A. I never saw him afterwards, till I saw him in custody.

George Caylock, sworn.

Examined by Mr. Littledale.

Q. Where do you live?

A. At No. 2, Cato Street.

Q. Do you remember on the 23rd of February last, seeing any person that attracted your attention in Cato Street?

A. Yes.

Q. Who was it?

A. Mr. Harrison.

Q. You had known him before?

A. Yes, I had.

Q. Do you see him in court?

A. Yes, he is the gentleman that is standing there, (*pointing to the bar.*)

Q. Where did you see him?

A. He was going into the stable, I asked him how he did, and he the same to me.

Q. Did you ask him what he was going there for?

A. Yes, he said he had taken two chambers, and was going to clean them up.

Q. Had you any further conversation with him?

A. No, none.

Q. In the course of the same evening, did you see any persons going into and coming out of the stable?

A. Yes.

Q. At what time?

A. From five to seven, I saw different persons going in and out.

Lord Chief Justice Dallas. There is no doubt that persons were going in and out, they were found there.

Mr. Solicitor General. It is immaterial, certainly, my Lord; I will call Ruthven.

George Thomas Joseph Ruthven, sworn.

Examined by Mr. Bolland.

Q. You are a constable at Bow Street?

A. I am.

Q. In consequence of information, did you go to Cato Street on the 23d of February with a party of the officers?

A. I did.

Q. At what time did you get there?

A. About six.

Q. Where did you muster?

A. The first information I had of going to the stable was about half-past eight, then we mustered at the corner.

Q. What time did you enter the stable?

A. About half-past eight, as near as could be.

Q. Whom did you observe on going in?

A. I observed a man walking backwards and forwards with a gun on his shoulder, and a sword by his side, as a sentinel.

Q. What sort of a man was that?

A. I cannot say, for I did not stop one instant. I said to the party with me, "secure that man," and went up stairs.

Q. There was a ladder?

A. Yes.

Q. Who proceeded with you up stairs?

A. Myself, then next Ellis, and then Smithers and Gibbs, as I have been since told, but I did not see him.

Q. When you got into the loft, what did you observe?

A. I observed several men standing round a bench.

Q. What do you mean by a bench?

A. There was a carpenter's bench in the room.

Q. How many men might there be in the room, as nearly as you can state?

A. About four or five and twenty.

Q. Did you perceive any thing on the bench?

A. There was; I heard a clattering of arms, and saw some persons apparently sorting the arms on the bench.

Q. Did you or Ellis say any thing?

A. I said, "We are officers—seize their arms."

Q. Before you got up the stairs, before you gained the loft, had any thing been said by any person below?

A. I am not aware of it; I cannot call it to my recollection.

Q. Upon your saying this, what did any one do?

A. Thistlewood looked up, caught up a sword, and retired into a little room; I think there were three or four retired into the little room, and the others into the back part.

Q. Was there a little room going out of the larger room?

A. There was, on the right of the bench as we went up.

Lord Chief Baron.—Which of the two side rooms?

A. The further one, my Lord, next the street.

Mr. Bolland.—Did you know the person of Thistlewood?

A. I did, well.

Q. How long had you been acquainted with him?

A. From the time of the state trials before, two or three years ago.

Q. Where was Smithers?

A. Smithers then appeared on my right hand.

Q. Did you hear Ellis say any thing to the party?

A. I did not.

Q. What did Smithers do?

A. In approaching the door where Thistlewood had retired——

Q. Did he then approach the door?

A. Yes.

Q. Did he pass you?

A. He did.

Q. Upon his approaching that door, was any thing done by any of the parties within that room?

A. Thistlewood stabbed him with a sword; he was fencing, to prevent any person approaching that door.

Q. You saw him fencing before Smithers approached him?

A. Yes, and on his approaching him he put his arm forward in this way.

Q. Was any thing else done from that room?

A. Not that I saw.

Q. Did you hear any thing?

A. A pistol was fired almost instantly on Smithers being stabbed, and the lights were put out.

Q. What happened when darkness came on?

A. I then heard from that corner of the room where the little room was some voice crying "Kill the b——rs. throw them down stairs."

Q. Did the parties keep their original stations in the room, or withdraw themselves to the end of it?

A. On their saying that I heard a rush towards the staircase.

Q. Did you join in that rush?

A. I did.

Q. Did you say any thing?

A. I did upon their saying "Kill the b——rs, throw them down stairs," I said, "Aye damn them kill them," or "Aye kill them," or something of that kind.

Q. Did you get down the ladder?

A. I did.

Q. When you got down was there any light in the stable below?

A. There was not when I got down.

Q. Where did you then go?

A. I got into John Street and met the soldiers.

Q. Did you return to the stable?

A. I did.

Q. Upon getting to the stable did you see either of the prisoners?

A. I did—Tidd.

Q. Where did you see Tidd?

A. I saw him coming from the door.

Q. Do you mean only coming from the door or coming out of the door?

A. Coming out of the door, the door was open, and he was coming from it.

Q. Was he walking or running?

A. Between the two, a sort of shuffle.

Q. Had he any thing in his hand?

A. I did not observe that at that time.

Q. What did you do?

A. I called to some body following me to lay hold of him, and immediately upon my saying that he lifted his arm, and I saw a pistol.

Q. Upon your seeing that did you seize him?

A. I did—I fell, and pulled him upon me on the dung heap.

Q. Did the soldiers come up and extricate you?

A. They did.

Q. Who extricated you?

A. Serjeant Legg and some of the men.

Q. Did you take Tidd any where?

A. I did to a public-house called the Horse and Groom, the corner of Cato Street.

Q. Was he searched?

A. I searched him.

Q. What did you find upon him?

A. Two ball cartridges.

Q. Where were they?

A. In his breeches pocket.

Q. Was he accoutred at all?

A. He had a belt round his waist.

Q. Was any other prisoner brought in while you were there?

A. There was Bradburn.

Q. Did you search him?

A. I did.

Q. What did you find upon him?

A. In his breeches pocket I found six ball cartridges, and three loose balls.

Q. Was he accoutred at all?

A. Round his waist there was a string five or six times round.

Q. Would that string have answered the purpose of a belt for a pistol?

A. It would.

Q. Was any other prisoner brought in?

A. Davidson.

Q. What arms did he exhibit?

A. When he came in he began to sing a song, "Scots wha ha' wi' Wallace bled," and damned any man that would not die in liberty's cause—that he gloried in it.

Q. Was he at all accoutred?

A. I did not observe it.

Q. Did you search him?

A. I believe he was searched by another.

Q. Was Wilson brought in while you were there?

A. He was.

Q. I do not know whether you searched him or not?

A. I did not.

Q. After this had passed at the public house, did you return to the loft?

A. I did.

Q. In what state was the loft, on your return?

A. There were several soldiers, and four of the prisoners at the bar in the room, and some of the officers.

Lord Chief Justice Dallas. What happened when Smithers received this thrust with the sword?

A. He fell back and said, "Oh, my God," or "Oh, I am done," I do not not know which.

Mr. Bolland. He very soon died?

A. Directly, I heard no more.

Q. When you returned to the loft, did you find any arms?

A. Yes, I did.

Q. What arms did you find?

A. Two swords—

Q. We have now a list of all the arms which were found, and by whom;—have you made an inventory of those arms?

A. I have.

Q. Look at that, and say, whether it is an accurate account;—did you make that yourself, *(handing a paper to the witness.)*

A. I did, I found two swords and one bullet, ten hand grenades, and two fire balls.

Q. These, you personally found?

A. Yes.

Q. Is that a list of all the things in your custody, stating the respective places, where they were found?

A. Yes.

Q. Go on with your list.

Mr. Adolphus. State the places where they were found.

A. Likewise one large one that I found, and which has been in my custody ever since.

Mr. Bolland. What is that?

A. A thing filled with powder; it is something similar to the others, only much larger.

Q. Has it a fuse to it?

A. Yes.

Q. Read that list.

A. Thirty-eight ball cartridges, found by Serjeant Lott; a firelock and a bayonet, by Corporal Strickland; one powder flask, by James Edgar; three pistols and one sword, with six bayonet spikes and a cloth belt; one blunderbuss; one pistol; fourteen bayonet spikes and three pointed files; one bayonet; one bayonet spike and one sword scabbard; one carbine and bayonet; two swords; one bullet; ten hand grenades; two fire balls; one large grenade and bayonet; the one I spoke of, and that was

found in my presence, and that has been in my custody ever since; a rope ladder; one sword stick; forty ball cartridges; one bayonet and three loose balls; these were all found in the loft, in the pocket of Bradburn; six ball cartridges; three balls and some string put round him to act as a belt; one pistol that Tidd fired; a pistol that Wilson attempted to fire.

Lord Chief Justice Dallas. You had not mentioned that Tidd fired.

A. The pistol that Tidd lifted his arm to fire, he did fire, after he was partly lying on me on the ground; there were found in the stable, a blunderbuss; a sword, belt, and scabbard; one pistol; one ditto and one sword; twelve sticks with ferrules; in the pocket of Tidd, two ball cartridges, and round him a leathern belt.

Mr. Bolland. What sort of sticks were those?

A. They are long sticks, I should think six or seven feet long, perhaps eight, I am not quite sure, in the end there is a hole; two ball cartridges found facing the stable, and ten ball cartridges found thrown away in Newnham Street; one musket cut down, and one sword taken from Davidson; one haversack; cross belts; one pricker; bayonet scabbard; cartouche box, and a belt round his body, those were on Davidson; two haversacks; one belt and tin powder case taken from Ings; four pistol balls; one pistol key, and a knife case from Ings; a case to receive a large knife; one haversack, containing seventeen ball cartridges; three balls; one pistol flint; one pricker; one worm for drawing cartridges; one knife and a turn screw.—I also got a stick which was left in the public house.

Q. Before you left the public-house where Davidson and Bradburn expressed themselves as you have stated, did Wilson express any thing?

A. Yes; he said he did not care a damn, he knew it was all over, they might as well kill him now as another time.

Q. Before you went to the stable did you go to the Horse and Groom?

A. I did.

Q. While you were there did either of the prisoners come there?

A. Cooper and Gilchrist came in.

Q. Had Cooper or Gilchrist any thing with them?

A. Cooper had a stick.

Q. What sort of a stick was it?

A. A mopstick or broomstick.

Q. Did he leave it in the house or take it out with him?

A. He left it in the house.

Q. Did you take possession of it?

A. Not directly. I did afterwards, that night, and have it now.

Q. Did either of the prisoners come back for that stick?

A. Gilchrist did.

Q. You say it is a mopstick?

A. It is.

Q. Is there any thing particular about it?

A. At the end it is cut round that depth, *(two inches,)* as if to receive the socket of any thing.

Cross-examined by Mr. Adolphus.

Q. You say the lights were put out, how many lights were there?

A. As nearly as I can tell, in the two rooms, about eight. I think about four or five in the first room, the loft, and two or three in the end room where they retired to; but this I guessed from the glare of light that appeared.

Q. The four or five in the loft, or first room, you could see?

A. I could.

Q. You have no doubt there were four or five lights?

A. I have no doubt.

Q. The words you said were very properly on coming up—"We are officers—seize their arms?"

A. Yes.

Q. Nothing else? did Ellis say any thing else?

A. Not that I heard.

Q. Did Smithers say any thing more than "Let me come forward," and when he received the blow, "Oh my God!" or, "Oh I am done?"

A. No.

Q. Those were all the words that passed?

A. Yes, all that I heard.

James Ellis sworn.

Examined by Mr. Gurney.

Q. You, I believe, are one of the conductors of the patrol at Bow Street?

A. I am.

Q. On the evening of Wednesday, the 23rd of February, did you go with other officers to a stable in Cato Street?

A. I did.

Q. Did you enter the stable close to Ruthven?

A. As close as I possibly could enter.

Q. Did you find a light in the stable?

A. There was a light.

Q. Did you find any men in the stable?

A. There were two.

Q. Where was the man standing whom you observed first?

A. The first man I observed was standing about half way between the door at which we entered, and the foot of the ladder which goes up into the loft.

Q. Is that ladder placed at the further end of the stable?

A. At the further end, in the very corner, opposite the door at which we went in.

Q. Who was that man?

A. I believe him to be Davidson.

Q. The man of colour?

A. Yes; I took him by the collar, and turned him half round, and looked in his face, and I believe him to be Davidson.

Q. How was he accoutred?

A. He had got a short gun, or carbine, in his hand,

carrying it in somewhat of this manner, *(describing it,)* and at his left-hand side a long sword hanging, and two white belts across his shoulders.

Q. You say you took him by the collar, and turned him half round?

A. Yes, and I looked in his face, and saw he was a man of colour; I immediately desired some of the others who were with me to secure that man.

Q. Did you observe any other man?

A. Yes, there was another man in the further stall of the stable, near the ladder, he appeared to be a shorter man.

Q. How was he dressed?

A. I believe he had got a dark coloured coat on, but I took but very little notice of him.

Q. Did you follow Ruthven up the ladder?

A. I did.

Q. Did you hear Davidson say any thing to the persons above?

A, I heard somebody from below call out something—"men," the last word was "men," but I could not understand the rest.

Q. Did you understand it to be a signal to those above?

A. I did.

Q. You say you followed Ruthven up the ladder, who followed you?

A. Richard Smithers.

Q. As you ascended the ladder, did you hear any noise in the loft?

A. I did.

Q. What did you hear?

A. I heard a noise, which appeared to me to be a rattling of swords.

Q. When you got up the ladder who then spoke?

A. Ruthven.

Q. What did he say to the best of your recollection?

A. He called out, "We are officers, seize their arms," or, "we are officers, surrender your arms," or to that effect.

Q. Were there lights in the loft?

A. Yes, there were.

Q. What were they?

A. There were candles.

Q. How many do you remember seeing?

A. I am positive there were three or more, but I cannot speak to how many there were; there were three lights or more in the loft; there were lights in the little room, from the shade which I saw, but I could not see what lights they were.

Q. Where were those candles placed?

A. Apparently on the carpenter's bench which stood across the room.

Q. Upon Ruthven, and yourself, and Smithers getting into the loft, what did you observe take place?

A. The moment I gained the top of the ladder, I observed a number of men falling back to the back part of the loft, with their backs to the wall, placing themselves against the wall.

Q. Did you see Thistlewood?

A. I did.

Q. What did he do?

A. There were Thistlewood, and two or three others between the end of the carpenter's bench, and the door of the little room; and immediately on my gaining the top of the ladder, Thistlewood presented his sword at me, and shook his hand in this manner, as if to make a stab. I immediately desired him to desist, or I would fire at him.

Q. Had you a pistol in your hand?

A. I had a pistol in my right hand, and my truncheon or staff in my left hand, which I held out in this manner—*(describing it.)*

Q. Upon that what did Thistlewood do?

A. Upon that he retreated, backing into the little room, through the little door; at that moment Smithers having gained the top of the ladder, rushed forward to enter the door of the little room.

Q. What did Thistlewood do upon his approaching the door?

A. At the moment that he reached the jamb of the door, Thistlewood made a thurst and stabbed him in the right breast.

Q. Upon that what did Smithers say or do?

A. He held up his hands in this way over his head, and exclaimed, "Oh my God!" or words of that kind.

Q. Did he fall immediately afterwards?

A. He fell almost immediately, he staggered past me and fell.

Q. Upon this what did you do?

A. At the moment that he threw up his hands and exclaimed, "Oh my God!" I fired.

Q. At whom?

A. At Thistlewood.

Q. You fired your pistol?

A. I did.

Q. As soon as you had done that what became of the lights?

A. The lights were all put out the moment that I fired, the flash of my own pistol was the last light I saw.

Q. I presume great confusion took place immediately?

A. There was a great confusion.

Q. Were you forced down the ladder into the stable?

A. By the rush made against me I was thrown down the ladder.

Q. Were there any other shots fired?

A. There were several fired in the loft while I was upon the ladder?

Q. Did you get to the door of the stable?

A. Upon recovering myself in the stable I got to the door.

Q. Were any shots fired then?

A. There were two or three shots fired then, two, I think, passed me in the door.

Q. From whence do you think they were fired?

A. I could not distinctly tell.

Q. Did you perceive any fired from the window of the little room?

A. There was another shot fired in the stable by a man who stood near the bottom of the ladder—he fired up the manger.

Q. When you got to the door did you observe any firing from the window of the room above?

A. There were some shots fired from the window of the little room above.

Q. That room looks into Cato Street?

A. It does.

Q. While you were at that door did you observe any man in Cato Street?

A. I heard the cry of "Stop him," and I observed a man running away.

Q. Was he running down Cato Street?

A. Yes, running towards Queen Street.

Q. What did you observe upon him?

A. I observed he had got white belts.

Q. Do you mean cross belts?

A. Yes.

Q. Did you pursue him?

A. I pursued him.

Q. Did you catch him?

A. I caught him in Cato Street.

Q. Whom did he turn out to be

A. Davidson the man of color.

Q. Upon your laying hold of him what did he do to you?

A. He made something of a cut with his sword.

Q. Do you mean a cut at you?

A. I believe it was intended at me.

Q. Did any other persons come up and assist you in securing him?

A. Yes they did.

Q. Who were they?

A. One of our people of the name of Gill, and another of the name of Chapman.

Q. Did you leave him in the custody of your brother officers, and return to the stable?

A. I did as soon as I had secured him, I returned as quick as possible.

Q. Did you then find Lieutenant Fitzclarence and the soldiers there?

A. I found the soldiers there, I do not know whether Lieutenant Fitzclarence was in the place.

Q. Did you find any of the prisoners who had been taken in the loft or the stable ?

A. There were four men—they were not in actual custody, but they could do no harm, they were in the loft among the soldiers.

Q. Who were they ?

A. I cannot speak very positively—Monument was one, and I believe Wilson was another, I think Strange was another, but I am not positive.

Q. I believe you fetched Davidson to the loft ?

A. As soon as they were secured I fetched him into the loft to them.

Q. Then they were taken away to Bow Street ?

A. Yes.

William Westcoatt sworn.

Examined by Mr. Gurney.

Q. You are also a conductor of the patrol at Bow Street ?

A. I am.

Lord Chief Justice Dallas. Are you going to fresh facts ?

Mr. Gurney. Yes my Lord I am— Did you accompany Ruthven and Ellis and the other officers to the stable in Cato Street ?

A. I did.

Q. You I believe did not go up into the loft at first ?

A. No, I did not.

Q. When they had gone up did you hear any noise of firing, or any confusion above ?

A. I did.

Q. Did you observe any person in the stable ?

A. I did.

Q. Whom did you observe ?

A. Ings.

Q. The prisoner Ings ?

A. Yes.

Q. At the first moment that you observed him what was he doing or attempting to do?

A. I did not see him attempt to do any thing; he rushed towards me as if attempting to get out of the stable.

Q. What did you do?

A. I seized him by the collar.

Q. And did what?

A. And shoved him back against the wall, at the foot of the ladder.

Q. What did he then do?

A. He went to put his hand of his right side; upon that I hit him a blow.

Q. As you thought to get a weapon?

A. Yes.

Q. Upon that you hit him a blow?

A. Yes, upon the right side of the head, and knocked him down, then they came tumbling down the ladder.

Q. Then the officers came tumbling down the ladder?

A. Yes, they did.

Q. Did you hear the firing above?

A. Oh yes.

Q. After you had heard that firing above, and they had tumbled down, did you see the flash of any pistol any where?

A. I did, from the bottom of the ladder.

Q. Where did it appear to you that pistol was fired into?

A. As it appeared to me, it was fired into the stable.

Q. Did you then observe any person come down whom you knew?

A. I did.

Q. Where was that?

A. When the man came from the ladder into the stable, I saw it was Thistlewood.

Q. Did that appear to you to be the man who had fired that pistol?

A. He did.

Q. What did Thistlewood do?

A. When he came into the stable he turned round and

presented a pistol to my head, but I released Ings, and I put my hand up to save myself, and the ball came here, *(pointing to his arm.)*

Q. Did the pistol go off?

A. Yes, it did; I put my hand up to save my head, and found myself wounded.

Q. Did the pistol go off?

A. Yes, it did.

Q. You left Ings to protect yourself?

A. Yes.

Q. You found a pistol presented at you and it went off?

A. Yes.

Q. And went where?

A. I found it had wounded my hand, and there were three holes in my hat, and one on the right side did not come through. I received then a violent blow on the right side of my head, and I fell.

Q. Did it hurt your hand?

A. Yes.

Q. Did it perforate the sleeve?

A. Yes, it went right through.

Q. And through the hat?

A. Yes.

Q. As you fell did you observe Thistlewood do any thing?

A. He immediately cut at me with a sword.

Q. And what did he do then?

A. He rushed out at the stable door.

Q. I omitted to ask you whether when Ruthven, Ellis, and Smithers went up the ladder, you heard either of them say any thing to the persons in the loft?

A. I heard somebody say something, but who it was I cannot say: I heard somebody say something, but I cannot say what?

A Juryman. What became of Ings when he knocked you down?

A. He made his escape out of the stable.

Q. When you raised your arm to ward off the blow that

was aimed from a musket or pistol, by Thistlewood, you let Ings go?

A. Yes.

Q. And he made his escape?

A. Yes.

Luke Nixon, sworn.

Examined by Mr. Gurney.

Q. Are you a Bow Street patrol?

A. Yes.

Q. Did you go with the other officers to this stable in Cato Street?

A. Yes I did.

Q. Did you see Westcoatt in conflict with any person there in the stable?

A. Yes.

Q. With whom?

Q. With that man there.

Q. Which, Ings?

A. Yes.

Q. Did you see Ings leave the stable?

A. I did, I made a snatch at him to catch him, but missed him.

Q. Was that after Thistlewood had got away?

A. No, I do not think he had got away then.

Q. You made a snatch at him to catch him?

A. Yes, and he got out; I ran after him up John Street, but he was got so far——

Q. Did you meet him in custody?

A. As I was going up John Street, I heard a pistol fired, or something of that kind.

Q. You heard a pistol fired?

A. Yes.

Q. Did you find him in custody of any persons?

A. I found him in the custody of Brooks and Champion.

Joseph Champion, sworn.

Examined by Mr. Solicitor General.

Q. You are one of the Bow Street patrol.

A. Yes.

Q. Did you go to this place, Cato Street, on the evening of the 23d of February?

A. Yes.

Q. Do you remember Ruthven going into the stable?

A. I do.

Q. Did you follow him to the foot of the ladder?

A. I was about the sixth or seventh man behind him; I was at the foot of the ladder when he was at the top.

Q. Who did you see at the bottom?

A. Ings.

Q. Did he cry out any thing?

A. He held up his head towards the top of the ladder, and said, "Look out, look out above."

Q. Was any attempt made at that time to secure him, that you know of?

A. Yes; Westcoatt was at that time in front of him, endeavouring to secure him.

Q. Do you know whether he made his escape?

A. He did; I turned to the top of the ladder, and as I was going up I saw the lower part of a man's body in the rack. I proceeded immediately to strike him on the legs, and endeavoured to force him back, and when I turned round, Ings was gone.

Q. You heard Ings cry out, and went up the ladder part of the way; you heard a contest with Westcoatt, and Ings made his escape?

A. Yes.

Q. Was he afterwards taken into custody?

A. He was.

Q. Where?

A. In the Edgware Road.

Q. Did you go to the spot?

A. Yes, I laid hold of him immediately after the watchman.

Q. You found him in custody, and Brooks was one of the persons who had him in custody?

A. Yes.

Q. Did you search him?

A. We took him to Mary-le-bone watch house, and searched him.

Q. What did you find upon him?

A. Four pistol balls, the key of a pistol, and a knife case made of blue cloth.

Q. What kind of knife, small or large?

A. Pretty large.

Q. Have you seen the knife produced here the other day?

A. Yes I have, it fits it exactly.

Q. There was no knife about him?

A. No, not at the time we searched him.

Q. The knife case fitted the butcher's knife that was produced the other day?

A. Yes.

Q. Had the knife any wax-end about the handle?

A. It had.

Q. In addition to that did you find any thing else about him, any bags?

A. Brooks did, I saw them taken from his person, he took his great coat off, and there were two haversacks, one under each arm, and in one there was a tin case nearly full of loose powder; he had also a cloth belt round his body, with pistol holsters.

Q. In addition to the haversacks there was a cloth belt round his waist?

A. Yes, which Brooks took from him.

Q. Was that adapted to receive pistols?

A. It was.

Q. Was that all that was found upon him that you know of?

A. There was a paper relating to some club, which I believe Brooks returned to him.

Mr. Solicitor General. Do you ask this witness any questions.

Mr. Adolphus. No.

John Wright sworn.

Examined by Mr. Solicitor General.

Q. You also are one of the Bow Street patrol?

A. Yes.

Q. Were you at this stable on the 23d of February?

A. Yes.

Q. Did you go to the foot of the ladder?

A Yes I did.

Q. Who did you see at the foot of the ladder?

A. I saw a man in the further stall in the stable.

Q. Do you know whether or not it was the prisoner at the bar, Ings?

A. I do not.

Q. Was it a man of about the same size?

A. About the same size.

Q. Did you take any thing from him?

A. I took a knife and a sword.

Q. What kind of knife was it you took from him?

A. A butcher's knife.

Q. Was there any thing twisted round the handle?

A. Wax-end tied round it.

Q. What kind of sword?

A. A sword about three feet long, with a brass handle, and a piece of string tied round it.

Q. After this what happened to you?

A. I received a blow, and was knocked down, and received a stab in my side.

Lord Chief Justice Dallas. You did not know the man.

Mr. Solicitor General. No, but he says he was a man in point of size like the prisoner.

Mr. Justice Richardson. And standing in a stall at the foot of the ladder.

A. In the further stall.

Mr. Solicitor General. You say you were knocked down, and had a stab in your side, after you recovered did you find that man gone?

A. Yes.

Mr. Solicitor General. I shall not ask the witness as to the rest, I only ask as to that which affects the prisoner at the bar—did you search Wilson?

A. Yes, I searched Wilson.

Q. What did Wilson say?

A. He said nothing particular.

William Charles Brooks sworn.

Examined by Mr. Solicitor General.

Q. Were you one of the Bow Street patrol?

A Yes.

Q. Were you in Cato Street?

A. No, in John Street.

Q. What did you perceive in John Street?

A. I saw the prisoner Ings coming up the street, and when I crossed the street, there was another of my partners with a cutlass, and I had a pistol, and when I got on the road, he fired at me.

Q. Fired at who?

A. He fired at me, he told me he would shoot me.

Q. Did the ball strike you?

A. Yes, I snatched at the pistol, and the powder scorched my hand, the ball went through the wrist of my great coat, through the collar of that coat, and through the shoulder of my waistcoat, it bruised my shoulder about the space of half-a-crown, and went out at the back I believe.

Q. What was the effect of that?

A. It staggered me to the right.

Q. Did he run on?

A. No, he came into the road to avoid my partner, I suppose, and ran into the Edgware Road, and flung the pistol away.

Q. Was there a watchman there?

A. A little further on there was.

Q. What was his name?

A. Moay.

Q. Did he take him?

A. He laid hold of him just as I did.

Q. Did you ever lose sight of him?

A. No, I was not further from him than I am to that gentleman. *(a yard or two)*

Q. You still pursued him?

A. Yes.

Q. And between you, he was taken?

A. Yes.

Q. After you had taken him, what conversation passed between you?

A. I said to him, you rascal, why did you fire at me, a man you had never seen before?—he said, to kill you, and I wish I had done it.

Q. Did he say any thing more?

A. He repeated it, both to my partner and to the soldiers, he told one of the soldiers so afterwards.

William Lee sworn.

Examined by Mr. Gurney.

Q. Are you one of the Bow Street patrol?

A. Yes.

Q. Did you go to the public house, the horse and groom, in the evening, before the officers went to the stable?

A. Yes.

Q. Did you observe any persons in the horse and groom, who were afterwards taken?

A. No, I did not?

Q. Did you see Cooper and Gilchrist there?

A. I saw them go in there.

Q. Were they taken that night among the persons there?

A. They were.

Q. And taken to Bow Street?

A. Yes.

Lieutenant Frederick Fitzclarence, sworn.

Examined by Mr. Bolland.

Q. I believe your are a lieutenant in His Majesty's regiment of Coldstream Guards?

A. I am.

Q. Where you on the 23rd of February, applied to by the Magistrates of Bow Street, to go to Cato Street?

A. I was.

Q. Did you take a picquet with you?

A. I did.

Q. What time did you arrive there?

A. A few minutes after eight.

Q. What time was it that you entered the stable?

A. I should think, three or four minutes after eight.

Q. What did you observe?

A. The first thing I saw, going under the gateway leading into the street, was a police officer, who cried out "soldiers! soldiers! stable door! stable door!"—I went on and met two persons coming out of the door-way; one of whom presented a pistol at me, I am not sure that it was a pistol, but he presented something at me, at the same time a sword made a cut at me, which I parried; and seeing the body of soldiers coming up, he ran into the stable—I followed him, and the moment I got into the stable, I ran up against a man, who surrendered himself saying, "do not kill me, and I will tell you all;" I gave him over to the picquet, and went forward into the stable, where I went up into one of the stalls, and took another man out, whom I delivered over to the picquet; also, I then led my men up the steps into the loft.

Lord Chief Justice Dallas. There was only room for one at a time.

A. No.

Q. You headed your men?

A. Yes; the first thing I trod over was the leg of poor

Smithers, and, in ascending the steps, I saw three, or four, or five persons in the room, the light afterwards went out.

Q. Did you see any arms in the loft?

A. A large quantity.

Q. What description of arms?

A. One blunderbuss, or more, swords, pistols, pikes.

Q. Were any arms picked up in the stable below?

A. Yes, there were.

Q. They were delivered over by your directions to the soldiers?

A. Yes, the soldiers took them away.

Serjeant William Legg sworn.

Examined by Mr. Littledale.

Q. I believe you are a serjeant in the second Coldstream guards?

A. Yes.

Q. Did you go along with the party that was commanded by Lieutenant Fitzclarence in Cato Street?

A. Yes.

Q. In consequence of any intimation that you had, did you direct your party to advance quicker than they had, in double quick time?

A. Yes, in double quick time.

Q. Did you get to the gateway which is near a public house, on the left-hand side of the street?

A. Yes.

Q. Just before then had you heard the report of pistols?

A. Yes.

Q. Did you perceive a man standing with his back against the wall, by the stable in Cato Street?

A. Yes.

Q. Had he a pistol in his hand?

A. Yes.

Q. Did he level it?

A. He levelled it at Lieutenant Fitzclarence.

Q. Did it go off or was it turned away?

A. It was turned away by my pike.

Q. Did the pistol go off?

A. I then seized the pistol with my left hand, and a scuffle ensued between the prisoner and me.

Q. Who was the prisoner?

A. Tidd.

Q. Did the pistol go off?

A. Yes, after some time.

Q. In whose hand?

A. In both hands: I had hold of the trigger at the time it went off.

Q. I believe it tore your coat?

A. Yes, it did.

Q. I believe you afterwards delivered Tidd to the police?

A. Yes.

Q. Have you got the pistol still?

A. Yes, the pistol is here.

Mr. Gurney. It will be produced among the other things.

Q. What other prisoner did you take?

A. I took no other: after going up in the loft I saw three others who had surrendered.

Q. Who did you see in the loft?

A. Cooper, Monument, and Gilchrist.

Samuel Hercules Taunton sworn,

Examined by Mr. Solicitor General.

Q. I believe you belong to the public office at Bow Street?

A. Yes, I do.

Q. Did you on Thursday morning, the 24th of February, go to Brunt's lodgings?

A. I did.

Q. Did you see Brunt there?

A. I did, and apprehended him.

Q. Did you search the apartments which are occupied by him?

A. I did, but found nothing in the front room.

Q. Did you search the apartments that were occupied by him?

A. I did.

Q. There you found nothing?

A. Nothing.

Q. Having searched those apartments, did you go into the back room?

A. I did.

Q. What did you find in the back room?

A. Two rush baskets?

Q. Were they both done up?

A. Both packed up, one tied up in an apron.

Q. What colour, blue?

A. Blue.

Q. Did you ask Brunt about those baskets?

A. I did.

Q. What did you ask him?

A. When I went into the room there was nothing in the room but two baskets and a pike handle.

Q. Did you ask Brunt any thing about those baskets?

A. I did.

Q. What did you ask him?

A. He said he knew nothing of them.

Q. Were the baskets present at the time you asked him that question?

A. I brought the baskets out into the other room.

Q. You asked him what was in the baskets?

A. Yes.

Q. And he said he knew nothing about them?

A. He knew nothing about them.

Q. Did you afterwards open the baskets?

A. Yes, I did.

Q. When you opened the baskets what did you find in them?

A. Nine papers of rope-yarn, and tar, and other ingredients in separate papers.

Q. Were they calculated easily to take fire?

A. Yes, I think they were; I tried some in the fire, and it burnt.

Q. Besides this, what else did you find in the baskets?

A. There were some steel filings.

Q. Were there any hand-grenades?

A. Yes, there were.

Q. How many?

A. Ten, I think grenades.

Q. What else were there?

A. Three papers of rope-yarn, and other ingredients.

Q. Having that paper in your hand, read what was contained in one basket, and what was contained in the other.

A. Nine papers of rope-yarn and tar, and other ingredients, some steel filings, in one basket; in the second basket there were four grenades, three papers of rope-yarn, tar, and other ingredients, two bags of powder, one pound each.

Q. What kind of bags were these?

A. White flannel bags.

Q. About six inches long?

A. About six inches long, or rather longer.

Q. And contained gunpowder?

A. Yes.

Q. Were there any flannel bags that had no powder in them?

A. Five flannel bags empty.

Q. Of the same form?

A. Of the same sort.

Q. Any thing else?

A. One small paper of gunpowder, one leather bag containing sixty-three balls.

Q. Leaden balls, bullets?

A. Bullets, that is the whole that was contained in the second basket.

Q. Did you find any thing else in the room?

A. One iron pot.

Q. Did it appear that that iron pot had had tar boiled in it?

A. Yes, very recently; and one pike handle I found in the same room.

Q. Was there a ferrule at the end with a socket?

A. Yes there was.

Q. A rough stick.

A. Yes.

Q. Was that all that you found at the lodgings at Brunt's?

A. That was all.

Q. Did you afterwards go to Hole-in-the-Wall Passage to Tidds?

A. Yes I did.

Q. How soon afterwards?

A. It might be three quarters of an hour, or an hour after; it was about nine o'clock in the morning I was at Tidd's.

Q. Did you search these lodgings?

A. I did.

Q. What did you find there, have you got a list of them?

A. Yes.

Q. Read them in order?

A. Four hundred and thirty-four balls, in a haversack. One hundred and seventy-one ball cartridges.

Q. Loose were they?

A. Loose.—Sixty-nine ball cartridges without powder; a brown paper parcel, with three pounds of gun-powder; in a brown paper, there was ten grenades; eleven bags of gun-powder, one pound each.

Q. Were the bags constructed in the same way as the flannel bags that you found at Brunt's?

A. Yes, the very same.

Q. About six inches long?

A. Rather longer.

Q. With a pound of gun-powder in each?

A. Yes.

Q. Any bags of the same description empty?

A. Ten flannel bags empty; a small linen bag with

powder, a powder-flask with some gun-powder in it; sixty-eight balls.

Q. By that you mean bullets, I suppose?

A. Yes.—Four flints, and twenty-seven pike-handles.

Q. Were the pike-handles of the same description as you have already mentioned?

A. The very same.

Q. Rough sticks, four or five feet long.

A. Yes.

Q. With sockets at the end for a pike?

A. Yes.

Q. Did you find any box there?

A. I found a box containing nine hundred and sixty-five ball cartridges.

Q. Was that all that you found at Tidd's?

A. That was all I found?

Cross-examined by Mr. Adolphus.

Q. There has been a person named Palin mentioned in the course of this cause, have you made any search after him?

A. Yes we have.

Q. There is a large reward of £500 for apprehending him?

A. Two hundred pounds reward.

Q. Palin and Cook—have you searched after them too?

Mr. Solicitor General.—Have you personally searched after them?

Q. Not I, I have not.

Mr. Adolphus—Has search been made after them by the officers?

A. I do not know what the magistrates might have ordered.

Re-examined by Mr. Solicitor General.

Q. A reward was offered for Palin?

A. Yes.

Q. Has he absconded in consequence of the part he took in this transaction?

A. Yes.

Mr. Curwood.—He has absconded, that is all.

Mr. Solicitor. General.—The reward was to apprehend him for the part he took in this business.

A. Yes it was.

Daniel Bishop, called.

Mr. Gurney.—It is necessary now to produce the things found at Tidd's, and also at Brunt's, and in Cato Street.

Mr. Curwood.—It is candle light, it will do in the morning.

Lord Chief Justice Dallas—Have you no other witness.

Mr. Gurney.—Only one or two, their evidence will be very short; we will produce them in the morning.

Lord Chief Justice Dallas.—Gentlemen, it is quite impossible to get through this to-night; we must now adjourn to nine to-morrow morning.

Adjourned to to-morrow morning, nine o'clock.

SESSIONS HOUSE, OLD BAILEY,

Saturday, 22nd April, 1820.

James Ings was set to the bar; and John Thomas Brunt, Richard Tidd, William Davidson, James William Wilson, John Harrison, Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper were placed at the bar behind.

Daniel Bishop sworn.

Examined by Mr. Gurney.

Q. Did you apprehend Arthur Thistlewood?

A. I did, on the 24th of February.

Q. At what time of the day?

A. Between ten and eleven in the forenoon.

Q. Where did you find him?

A. At No. 8, White Street, Little Moorfields.

Q. Was that his own residence or the house of another person?

A. The apartments of a Mrs. Harris.

Q. I believe he lived in Stanhope Street, Clare Market?

A. He did.

Q. Did you find him up, or in bed?

A. In bed.

Q. With any part of his clothes on?

A. His breeches and stockings.

Q. Upon your opening the door of the room in which he was in bed, what took place?

A. He just held up his head.

Q. From under what?

A. From under the bed-clothes. I had got a pistol in

one hand, and a staff in the other, I immediately threw myself on the bed upon him; I said, "Mr. Thistlewood, my name is Bishop, a Bow Street officer, I have a warrant against you."

Q. And he surrendered?

A. He said, "I shall make no resistance."

Q. Were his coat and waistcoat by the bed side?

A. They were.

Q. Did you find any thing in the pocket of the waistcoat?

A. In the pocket of the waistcoat I found three leaden balls, a ball cartridge, a blank cartridge, and two flints, and a small silk sash.

Q. You took him into custody, and took him to Bow Street.

A. I did.

Cross-examined by Mr. Adolphus.

Q. How did you find out where he was?

A. It was in consequence of some information that was handed to me and my brother officers.

Q. Information that he was not at his own house but was there?

A. Yes.

Q. Was that information from your brother officers?

A. No, it was not.

Q. Was it from a Mr. Edwards?

A. No.

Mr. Gurney. I should have objected to that question.

Lord Chief Justice Dallas. That is not a proper question.

A. I do not know a person of that name.

Mr. Adolphus. I should not have asked it if I had considered it irregular; but the moment your Lordship gives that intimation, I stop.

Lord Chief Justice Dallas. If these questions are to be asked it will break down all rules.

Mr. Adolphus. I submit, my Lord, to the intimation of your Lordship's opinion.

George Thomas Joseph Ruthven called again.

Examined by Mr. Gurney.

Q. Are there now placed upon the table the things which were taken in Cato Street.

A. Yes.

Q. You gave us a numeration yesterday of thirty-eight ball cartridges, firelock and bayonet, one powder flask, three pistols, and one sword, with six bayonet spikes, and cloth belt, one blunderbuss, pistol, fourteen bayonet spikes, and three pointed files, one bayonet, one bayonet spike, and one sword scabbard, one carbine and bayonet, two swords, one bullet, ten hand grenades; I do not see them?

A. Here they are (*in a bag.*)

Q. We must have them on the table? (*they were emptied out.*)

Q. There is one hand grenade much larger than the rest, that is, what you call the large hand grenade?

A. Yes.

Q. Show the jury the fuse to it? (*it was shown to the jury.*)

A. There are some iron spikes tucked in.

Q. Hand one of the small hand grenades to the Jury, with a fuse, (*it was handed to the Jury.*) Are there any fire balls there? (*one was shown to the Jury.*)

Mr. Gurney. I will give you an account Gentlemen, by another witness, of the composition of these, I observe here are some bayonets with screws at the end, and some sharpened files with screws at the end.

A. There are (*they were shown to the Jury.*)

Q. Produce the pike staves, (*they were produced.*) Take one of the pike staves from the rest, and show the adaptation of it, (*the witness screwed in one of the pike heads.*) They are all made to receive a screw?

A. Yes.

Q. Have they a ferrule at the top?

A. They have.

Q. Will you produce the belt and the knife case found upon the prisoner (*they were produced*)—Hand that knife

with the knife case and the belt to the Jury—you observe Gentlemen, the knife case and the belt are of the same cloth.

Ings. The knife was not found upon me my Lord.

Mr. Gurney. You observe the handle of the knife, Gentlemen, is bound round with wax-end (*it was shown to the Jury.*) Where are the two haversacks that were found upon the prisoner (*they were handed to the Jury.*) Show the Jury the brass-barrelled blunderbuss (*it was shown to the Jury.*) Which were the pike staves found in Cato Street?

A. The bundle I have just shown.

John Hector Morison called again.

Examined by Mr. Gurney.

Q. In whose service are you?

A. Mr. Henry Underwood's, in Drury Lane.

Q. You have spoken to a sword having been brought you by the prisoner to sharpen?

A. Yes.

Q. Is that one of the two swords which the prisoner brought to you?

A. Yes, this is the first.

Q. What were the instructions you had particularly respecting sharpening that sword?

A. To grind and set it from the heel to the point, and to sharpen the point particularly on both sides, as sharp as a needle, he said.

Q. And it is sharp?

A. Yes, since I ground it—it appears to have been rubbed upon a stone to help the keenness of the edge.

Samuel Hercules Taunton called again.

Examined by Mr. Gurney.

Q. Have you there the things which you found at Brunt's room?

A. I have.

Q. Produce them distinctly?

A. This basket contains nine papers of rope-yarn, tar, and other ingredients.

A Juryman. They appear to be the same kind of things—they are what are called illumination balls.

A. There are also some steel filings.

Mr. Gurney. Now produce to us, the things out of the basket covered with the blue apron?

A. These are flannel bags full of gunpowder; there are also some empty. *(producing them.)*

A Juryman. There is powder in those bags?

A. There is. *(one of the bags was opened, and the contents shown to the Jury.)*

Mr. Gurney. The bags contain one pound each, I believe?

A. Yes.

Q. Are there four hand grenades?

A. There are, *(they were handed to the Jury.)*

A Juryman. There appear to be nails in all directions.

Mr. Gurney. We will call a witness who will give an account of their contents.—Will you produce the pike-handle which was found there? *(it was produced.)* Is that filed at the end so as to receive a pike?

A. Yes, and it has a ferrule on.

Q. You spoke of an iron pot, that had an appearance of melted tar, *(it was produced)* Is there tar in the bottom?

A. There is.

Q. You found also, sixty-three bullets?

A. I did; here they are, *(producing them.)*

Q. They are in a leathern bag or pouch?

A. They are.

Q. Produce the things which you found at Tidd's lodgings; those were found the same morning, the Thursday morning?

A. Yes.

Q. You stated that in a haversack there were 434 balls; 171 ball cartridges, and 69 without powder *(the witness produced the same.)*—There were three pounds of gunpowder?

A. There were. *(producing them.)*

Q. You have opened that paper?

A. I have, and it contains gunpowder.

Mr. Gurney. It shall be opened for your inspection, if you wish it gentlemen.

Foreman of the Jury. No, it is not necessary.

Mr. Gurney. Produce the coarse canvass cloth, and the grenades you found in it; eleven bags of gunpowder of a pound each; ten empty bags; a small bag with a powder-flask, with some powder?

A. Yes.

Q. Those are flannel bags of the same description as the other?

A. Yes, they are.

Q. The full and the empty are all of the same description?

A. They are.

Q. You found there, also, twenty-seven pike-handles?

A. I did.

Q. Are they of the same description as the others?

A. They are.

Mr. Gurney. You observe, Gentlemen, they are all ferruled and filed to receive pikes?

A. They were all of them ferruled, but with the greenness of the wood, some of the ferrules have since dropped off.

Q. Produce the box you found with the ball cartridges; *(it was produced)* There are 965 ball cartridges in that box, are there?

A. There are.

Q. They are in parcels, of how many?

A. In parcels of five.

George Thomas Joseph Ruthven, called again.

Examined by Mr. Gurney.

Q. There is one question, I omitted to ask you; were those fire arms found at Cato Street, loaded?

A. They were most of them, there were one or two of them fired off.

Q. Most of them you found loaded?

A. Yes.

Q. They were drawn last Monday?

A. Yes.

Lord Chief Justice Dallas. Ask him, whether those which were not loaded, appeared to have been recently fired off.

Mr. Gurney. Did those which were not loaded appear to have been recently discharged?

A. I did not examine that.

Q. Were those that were loaded, loaded with ball?

A. They were.

Serjeant Edward Hanson sworn.

Examined by Mr. Gurney.

Q. I believe you are a sergeant in the Royal Artillery?

A. Yes.

Q. Have the goodness to look at those fire balls, what do they appear to be composed of?

A. They are oakum, tar, and rosin.

Q. If they were set on fire, and thrown into any buildings; are they well calculated to produce conflagration?

A. Yes, they would set wood on fire.

Q. If they were thrown through a window on to a floor, would they be likely to set a house on fire?

A. There is not a doubt of it.

Q. If thrown into a hay-loft, still more likely?

A. Oh yes.

Q. How long do you suppose they would burn?

A. This is a very small one; I have seen much larger than this, among those before the court.

Q. How long would they burn?

A. They would burn three or four minutes.

Q. Look at these flannel bags with gunpowder,

A. That is a flannel cartridge, for a six pounder.

Q. That is the way in which powder is made up, for the purpose of loading cannon?

A. Yes, it is; only yours is a different kind of flannel, it is twilled.

Q. That will answer the purpose, though not so neatly?

A. Oh, yes, perfectly.

Q Take one of the hand-grenades, you have examined two of them before?

A. Yes, I have.

Q. Take that to pieces, and show us of what it is composed. *(it was taken to pieces in the presence of the Jury.)*

Mr. Gurney. The other prisoners may retire now, we shall have no occasion for their being present.

Lord Chief Justice Dallas. You may now remove the other prisoners from the bar. *(They were removed accordingly.)*

Mr. Gurney. Is that exterior tight binding material to give force to the powder when it explodes?

A. Yes, very material, it would not have half the effect if it were not tight.

Q. Have you come to any thing different?

A. Yes, here is a bandage of woollen cloth or bombazine.

Q. Is that cemented on?

A. Yes, very fast.

Q. What do you find that immediately to inclose?

A. Four nails.

Q. Do you mean nails used to rivet the tire of cart wheels on?

A. Yes. *(it was handed to the Jury)*

Q. Supposing you found inside, that a tin case containing powder, which is lit by means of that fuse; would that explode and disperse those nails about like so many shot?

A. Certainly it would,

Q. The binding you say by the rope-yarn would give greater effect to the explosion?

A. Yes, it would be a larger explosion; the faster it is tied, the more strong that makes the explosion.

A Juryman, (Mr. Young.) Could any body manufacture a thing of that kind, unless he is connected with the army?

A. That is nothing like our artillery grenades, these are filled with pistol or musquet balls, and then the vacancy between the musquet balls, is filled with powder.

Mr. Gurney. It is not made artificially like the army grenade?

A. No.

A Juryman, (Mr. Smith.) Would it have the same effect?

A. Certainly, this would be very dangerous, they would be sure to be distributed round, wherever they were thrown.

Mr. Gurney. Supposing they were thrown into a room, the fuse would burn, I believe about half-a-minute?

A. Yes, thereabouts.

Q. These nails would on the explosion, fly about killing and wounding the persons in the room?

A. Most assuredly.

Q. Take out the nails and see whether you find a tin case filled with gunpowder?

A. Here is part of a blanket covering the tin case.

Q. The fuse is inserted in the tin case?

A. Yes, it is brazed in, and each end is brazed on.

Q. We will trouble you to force open that tin case. *(the witness broke off the fuse and poured out the powder.)* How much powder is there in it?

A. I dare say there is about the same quantity as there was in the last, which I weighed; that was about three ounces and a half; it appears to be the same size.

Q. Is it good gunpowder?

A. Very good.

Q. That would be a quantity of gunpowder sufficient to cause the explosion you speak of?

A. Yes, there is rather more than we put to burst a nine inch shell.

Q. I need scarcely ask you, whether that grenade would be a most formidable and destructive instrument?

A. It certainly would.

Mr. Attorney General. That, my Lord, is the case on the part of the Crown.

Mr. CURWOOD.

May it please your Lordship,

Gentlemen of the Jury,

I know not whether any of you were in Court during the preceding enquiry which has taken place, but whether you were or were not, the fact of the conviction which has occurred cannot be unknown to you. Indeed, my learned friend the Solicitor General, when he opened this case to you, did that which every man would expect from him; he told you that if that fact had come to your knowledge, it ought not to have the slightest weight in your minds in the consideration of the case which is now brought before you: but notwithstanding that my learned friend the Solicitor General has so told you, I do feel, or rather I should feel under other circumstances, that it was a fact which would weigh very heavily upon me; because I know that whatever your good intentions may be, such is the frame and construction of the human mind, that it cannot dismiss from its consideration matters which at times, if men were more

perfect, it ought so to dismiss. But, Gentlemen, I feel that fact weighing less heavily upon me, because the late verdict was obtained by evidence, as I hope I shall be able to shew you, materially different from the evidence which is given in this case. For in this case there is wanting a most material confirmation of the evidence of the accomplice, which was given by a witness who was called in the last case, and is not called in the present:—I mean one Dwyer.

Mr. Attorney General. My lord, I must interpose for the sake of regularity.

Lord Chief Justice Dallas. We cannot go into what passed on a former trial; most humanely and most correctly the Solicitor General began by deprecating the effect of that conviction in any way upon the minds of the Jury; and sure I am, though that caution might be deemed by the Solicitor General to be necessary, it was not necessary with the Jury, for they would themselves have confined their attention to the evidence in this case, not looking back at all to what passed upon the former occasion which is not now before them, nor under their consideration; and as to the circumstances of which whether this witness was called, or that witness called, or whether the proof be different, they have no means of judging, and into which I cannot now suffer counsel to go. The Jury are sworn to try the case presented to them in evidence. I need not tell you, Gentlemen, I am sure, that it is your duty to forget, except so far as it is in proof, that there is such a person as Thistlewood, at all events to forget his conviction.

Mr. Curwood. Gentlemen, I receive, with all deference, the correction of his lordship, and I am sure I need not say to him, that intentionally I did not step beyond the line which I ought in correctness to follow. Perhaps, in the anxiety I feel in this case, I may have done that which, if I had more self possession than I confess I have at this moment, I should not have done But when his lordship has told me, that I have trespassed beyond the strict line of my duty, it shall be my most earnest endeavour so to guard my conduct, that I may not again commit the same fault. But this much I may with perfect regularity say, that you will

not suppose (having heard of the former verdict) that it proceeded upon evidence precisely such as has been given in this case. You will not suppose that the evidence which warranted that former conviction is precisely the same which is now before you. But you will judge of this evidence as though you had never heard of that former case.

Gentlemen of the Jury, my learned friend, the Solicitor General, has told you what I, and I am sure all men will readily admit, that in the execution of the duty which he was called upon to perform; he was only anxious to acquit himself as a faithful servant of the public, by laying fully and fairly before you, the circumstances of this case for your consideration, and that as far as his own personal feelings went, when he had done his duty, he was regardless of the result.—Gentlemen, I, equally with every man who knows him, give him full credit for that assertion; I hope, Gentlemen, you will give me credit: also, by believing, though my task is a more irksome one than his; that I have the same feeling, that I am anxious to do my duty to the unfortunate man at the bar; but, I am also anxious at the same time, to do my duty to my country and myself.—Gentlemen, I am equally sure, that those amongst you who having been on the former jury, and consequently having heard the evidence, and given a verdict in the former case, whatever may have been your previous feelings and former impressions, that you will discharge your present duty, regardless of what may be said by mankind, upon any supposed contradiction of conduct, and that if you are not satisfied that the crime is made out against the prisoner by the present evidence, you will gladly deliver him by a verdict of not guilty.

Gentlemen, the Solicitor General also told you that the law in this case is so clear, that he did not feel it necessary state it to you. Gentlemen, the law of this case is very clear, but I think it most material that the very precise point you have to try should be stated to you. Because, the question here is not between guilt or innocence in the abstract, for certainly, I must admit, there is a strong suspicion, at least, if not conclusive proof, of a certain degree of moral guilt against these men; but the question you have

to decide is this, whether their guilt amounts to that which is charged upon this record? namely, whether it be the guilt of High Treason? and not only whether it be the guilt of High Treason, but whether it be the guilt of that specific and direct High Treason which is charged upon him by this indictment? Then, Gentlemen, in order to enable you to do your duty fairly, fully, and impartially, you must not only take into your consideration, and understand distinctly, what is the precise charge you have to try, but you must also apply the evidence and see that the evidence, not only makes out guilt, but makes out that very specific High Treason which is charged upon these men.

Gentlemen, with respect to the law of High Treason, I dare say, though you are not lawyers, you know enough of the history of your Country, to know that every man almost who has written upon the history of the Constitution of our Country, has stated that the firmest bulwark of the liberties of the subject is, that the law of Treason should be well defined: and, Gentlemen, most carefully was that done by our ancestors, by the statute of 25 Edward 3. Many things before that time having grown up to be thought Treasons, many indistinct accusations having been adjudged Treasons, that no man could know whether he was safe or not, from the oppression of power, in his conduct through life.—But when that statute was passed, in a few, short and distinct words, it gave the subjects of the country to know what the law of Treason was, and better still, it let them know what was not Treason. A statute which, one of the greatest Lawyers that ever graced the English Bench, I mean my Lord Coke, has called a blessed statute; and blessed is the country that has such a statute for its guidance, for in proportion as we lose the advantages of that statute, in that proportion do we recede from that blessed state of security, which it conferred upon us.

Gentlemen, that statute states distinctly, (I mean to state as much of it as may apply to the case under consideration,) first, that whosoever shall compass or imagine the death of the King, shall be guilty of High Treason:—secondly, that whosoever shall levy war against the King in his realm, shall

be guilty of High Treason. Now here are two distinct facts stated in a few short and distinct words,—men cannot fail to know whether they transgress these enactments, or not; and, although, from that period to the present, a number of other Treasons have grown up, or rather a number of other enactments of Treason have grown up at different times; yet, always, under virtuous administrations, and by patriotic governors, they have been swept away as noxious weeds, poisoning the healthy soil of our country, and we have ever returned to that blessed statute in every good and sound state of the Constitution.

Gentlemen, I lament to say, that in the reign of His late Majesty, a statute passed which extended the law of Treason;—Mr. Attorney General, seems rather surprised at what I am now saying, but I again repeat that I lament such a statute ever passed; I lament every deviation from the ancient law of Treasons; and even if it be justified on the ground that the necessity of the times called for it; then I lament that there should be such a necessity in the state.—Gentlemen, the latter statute to which I allude, and upon which a part of the charges in this indictment is founded, is the statute of the 36th of His late Majesty's reign, which enacted "that if any person after the passing of this act, during the life of the King, and until the end of the next session of Parliament, after the demise of the crown, shall within the realm or without, compass, imagine, invent, devise, or intend death or destruction, or any bodily harm tending to death or destruction, maim or wounding, imprisonment or restraint of the person of the same, our Sovereign Lord the King, his Heirs and Successors, or to deprive or depose him, her, or them from the stile, honor, or kingly name of the Imperial Crown of this realm." Now, here Gentlemen, is the creation of another new Treason, and which is also charged upon this Indictment: by the statute of Edward it was made Treason to compass or imagine the *death* of the King; by this statute it is made Treason, to conspire or attempt to *depose* him from his kingly office.—By the statute of Edward, it was made Treason, actually to levy war against His Majesty within his realm; by this statutcit is made Treason to

conspire to levy war—and upon this last Treason is founded another count of this Indictment; so that, Gentlemen, the four charges you have to try will be these.—Did the Prisoner at the bar, compass or imagine the death of the King? did he conspire to depose him from his imperial dignity? did he actually levy war against His Majesty? or lastly, did he *conspire* to levy war (though he did not actually levy war) with an intent to compel His Majesty to change the measures of his government by force? Gentlemen, these are the precise issues you have to try, and whatever may be your opinion of the guilt of the prisoner, as to other matters however atrocious you may think his conduct may be in a moral point of view; however criminal he may be in other respects; however he may have brought himself within the fangs of other criminal laws; if you do not think he has actually committed one of these four offences, charged upon him by this indictment, you are bound to find him not guilty; and to leave him to take his trial upon other indictments, which will reach him, if he has been guilty of any other offence.—It will therefore, Gentlemen, be your bounden duty, most accurately to scan the evidence which has been given in this case, and apply it to the charge of the present indictment, and not to any other offence.

My learned friend, the Solicitor General, has admitted to you, that this case does not come proved to you in all respects by unequivocal testimony; and he apologizes for it by saying, that in all cases of conspiracies you must of necessity call some of the conspirators, because without some of the conspirators you cannot know what passed in their dark consultations. Gentlemen, this is another miserable consequence of departing from the antient and well-considered Statute of Treasons. That admirable statute, amongst other things, enacts, that before a man shall be found guilty of any of the Treasons there set out, he shall be *provably* convicted of the same. I do not believe in any other statute of the realm, that the same guarded caution is enacted, or the same word used; and the great lawyer to whom I have referred you before, Lord Coke, writes a whole section upon the word *provably*. He says that it does not mean

probably, but that a man must be convict by that clear and distinct evidence which no man can doubt of. While that law remained unimpaired, the result was that you could have no accusations of treason, but such as were capable of clear and demonstrable proof. Then men's lives were safe. But when you depart from the spirit of that ancient statute, and enact these new Treasons which depend upon supposed conspiracies and secret consultations, you must call in the aid of witnesses such as you have heard upon the present occasion. Then it is that men's lives are no longer safe, but they may hold their existence, fame, and fortune, upon the testimony of the most worthless and infamous of mankind.

Now, Gentlemen, bearing in your minds, as I hope you will do, these preliminary observations, examine the facts that have been proved in evidence before you, and say how far you think those witnesses, whom my learned friend the Solicitor General admits to be bad witnesses, are confirmed by purer testimony; because he has told you himself that they are not to be believed unless they are confirmed in material circumstances. It is not confirming an infamous witness, in some trivial circumstances, that will give him credit to any infamous tale he may tell you: you, at least, ought to have him confirmed as to so much of the important matters which he relates, that you, laying your hands on your hearts, can say you believe the rest of his tale. And here presents itself another difficulty in this case, for it would be in vain for me to stand up and say, these witnesses are not confirmed in a great deal of important matter: but you are to discriminate whether they are confirmed in any of that matter which constitutes the crime, High Treason. If you do not find them confirmed in a single iota of that matter which alone constitutes High Treason, though they are confirmed in other matters, it will be your duty to find this man not guilty. And here is the danger (and let me warn you of it as a danger) of not discriminating clearly to what extent they are confirmed. If you shall be of opinion they are confirmed to the full extent of the horrid plan of the assassination of His Majesty's ministers, yet inasmuch as

I do not know of any law which makes that atrocious plan of assassination of the Cabinet Council amount to High Treason, if you do not believe that there was an ulterior intention to levy war against His Majesty, then you must find the prisoner not guilty.

Gentlemen, it is impossible to deny that there is a great deal of matter in evidence before you which must make a man shrink back with horror; that much I cannot deny; but if it were not for that circumstance which throws a shade and dark color over the whole of the case, I think there never was so ridiculous a plot detailed in evidence since the records of history began. It exceeds in absurdity all that was ever recorded in real history, or imagined in fiction. The plot which has been detailed to you to-day, and which you are required to believe was actually adopted as of practicable execution, for the purpose of overturning the existing government of this country, is a plot so perfectly ridiculous, that it is wholly incredible. I would ask you this, if you had been told this scheme of rebellion as a really existing and adopted plan; if it had been gravely related by a man of ordinary veracity, in whom you had ordinary confidence, unconnected with all the other circumstances of assassination, and the murder of the unfortunate man who met his death at Cato Street, all of which I know must have its effect upon your minds, and adds weight to the ulterior charge of Treason. I ask you if you had been told of this plot to overturn the government, precisely in the phrase and language of the witness, with the same exhibit of military stores, would not you have received the tale with a smile of contempt and incredulity? Then, if you would not believe a statement on the relation of a man in whose general veracity you might have some confidence, will you believe it upon the testimony of a self-convicted and most infamous witness? The absurdity, Gentlemen, strikes me so strongly, notwithstanding all I have seen, and all I have heard, that until you tell me by your verdict you do believe it, I will not give credit to the possibility of your having such belief.

Gentlemen, we will first see what the alleged facts are as

detailed to you by this man Adams. And here let me remark, that every witness is supposed to give his testimony under the sanction of an oath, the consequences of which he at least ought to believe are, that according to the truth or falshood of the circumstances which he relates he will meet his reward, not only by the sanctions of the law of men, but by the special interpositions of Providence in this world, and by the laws of God hereafter. To begin with this witness,—what does he tell you?—that he has been an apostate in religion, and has forsworn his God; that God to whom he appeals for the truth of his evidence! That is the first view in which this witness presents himself. Such is the man who has to tell you a story, incredible in itself, and upon whose testimony you are required to believe it. But to proceed, he says that he became acquainted with Brunt, one of the other men charged in this Indictment, at Cambray, in France, about three years ago; that on the 13th of January last he was introduced to Thistlewood; upon which Thistlewood said to him:—" Oh, you are the man; you have been a soldier in the Guards." We need not go through the whole of the conversation, for it comes to this.—" I suppose you are a good swordsman."—" No, I am not so good a swordsman as I once was, but I can defend myself." And then comes the conversation about the present state of society; that " the people are aristocrats, and are all working under one system to support the Government." Now you are to take it as a clear fact, that a plot was in agitation to overturn the Government, and that so much was to be expected from the hand of this single swordsman, that Mr. Thistlewood, a man not insane, however wicked, at once unbosoms himself to him at their first interview, and tells him he wants his assistance, as you are to infer, though he did not directly tell him so in terms:—that he wanted his assistance to overturn the Government—the powerful assistance of him a single swordsman!

Then, Gentlemen, he gives you an account of his meeting the conspirators several times at the White Hart public house, and then he goes to Brunt's, where he hears language, such, that if he had had one spark of honesty or

feeling in his heart, he never would have gone a second time, but must have instantly disclosed it to the magistracy of the country. He there hears distinctly, according to his own account, a plan in agitation for the destruction, at one blow, of the whole of the cabinet council of this country. Does he revolt at this?—No! he goes on and joins them; he meets them day after day in their consultations on this plan—himself professing, and, if you believe his own words, truly intending at this time to be one in this atrocious conspiracy, fully bent to carry it into effect; and never is it till the halter is about his neck that he recedes from that intention. And then he thinks to make a merit—by what?—by still greater baseness I had almost said. When I say, "still greater baseness;" I am afraid of using an expression that can in the least be supposed to take off from the baseness of his first conduct. I hardly know how to express myself. I was going to say, greater baseness in betraying his companions. I am afraid, in using the expression, of being supposed to say that such things as these ought not to be disclosed: but this I say, that in a man who goes the whole length, which he states he did, towards perpetrating a deed of unparalleled wickedness—in him it is the last trace of baseness that he should be the betrayer of his companions; low as they may be sunk in the pit of infamy, a still "lower deep" is his portion: and not one spark remains which can redeem him from universal and unutterable abhorrence. Thus it is that this man stands before you, and upon his evidence alone it is, I say, that all the facts stand which constitute High Treason, as I will shew you hereafter, and it is upon his evidence alone you must convict the prisoner of High Treason; although I admit his evidence is abundantly confirmed, as to the other parts of the case, namely, as to the horrible plan of assassination.

Gentlemen, you will always bear in mind what it is that constitutes the Treason. I have told you that every act of levying war against the king, or conspiring so to do, with an intention to make him alter his measures of government by force, is High Treason. Now all which

you can infer against this prisoner of his guilt, with respect to this species of High Treason, is, from certain supposed conversations on Tuesday the 22d, and Wednesday the 23d of February. Adams tells you, that in addition to the plan to assassinate His Majesty's ministers, they had it in design to do what?—to seize two cannon in Gray's-Inn Lane; to seize six cannon in the artillery ground; to send to different out-ports, and seize those out-ports. But that which most distinctly marks the intention of High Treason, was a proclamation which he is pleased to say was fabricated by Thistlewood, and of which proclamation there is not a trace of confirmation in any other part of the cause. Now I know here the learned Attorney General may say there is confirmation of that by an unsuspected and uncontaminated witness. He will tell you that Hale, the servant of Brunt, was called to fetch six sheets of cartridge-paper; and he will tell you also, that the witness, Adams, said the proclamation was written on cartridge-paper. Gentlemen, is that a confirmation of the contents of this supposed proclamation? You do not want confirmation of the fact of six sheets of paper being sent for; consider what they were about at that time:—they were preparing their arms, not for the plan of High Treason, as I say, but for other most nefarious plans. They were then making cartridges, and what so fit, and what so likely, as that they should want cartridge-paper for that purpose?—And, indeed, there is a passage in the testimony of Hale, which, as far as it gives confirmation either way, gives a confirmation to my statement, rather than to the supposition of the learned Attorney General; for he (Hale) tells you, that among the articles in the cupboard they found fragments of the cartridge-paper; most evidently, therefore, they had been using this cartridge-paper, not for the purpose of fabricating proclamations, but of fabricating cartridges. Take this proclamation out of the cause, and there is nothing that can indicate that their intention was levying war against the state, so as to make their acts amount to High Treason. There is a great deal in the cause to lead one to

suppose, that they might contemplate a desperate riot, and a dreadful murder; that you might perhaps fairly infer, if that were the matter for your consideration; but that is not the charge upon this record: if you believe every tittle of the evidence up to that extent, yet you cannot consistently with your duty to God, and to your country, and to yourselves, find the prisoner guilty of a charge which accuses him of an intention of levying war; even if you could believe the other circumstances, that they meant to take the cannon, that they meant to fire the houses, and that they meant other acts of violence, which does not amount, or may not amount to a levying of war. And what you are most particularly to guard yourselves against is this, that you are not to convict on constructive High Treasons. I know very well that there have been constructive levyings of war, but still levying of war is a question of fact. You are to consider, under all the circumstances, what shall and what shall not amount to a levying of war: there are great and dreadful riots which do not amount to levying of war, and if you are of opinion this would be only riot and not levying of war, then the prisoner is not guilty of the matter of this Indictment. When I say there may be great and dreadful riots which do not amount to levying of war, and that you ought to be most careful about extending the law of Treason by construction and implication, I would rather state it you from the language of one of the greatest judges that ever ornamented the English Bench, aye, and one of the best of men;—I mean my Lord Hale, whom Bishop Burnet calls "that great lawyer, and that honest man:" an honest man he was as you will judge from this short anecdote I will tell you of him. During the usurpation of Cromwell, so high was his credit as a lawyer, that that great and able man (for so he was, though an usurper) felt it for the honor of his government to employ my Lord Hale; though my Lord Hale had the boldness to tell him, that he doubted the legality of his accession to the throne of power where he had seated himself, and would act under no commission from him which should require him to pass a sentence of death on any man; notwithstanding this, he

was so highly revered by that usurper, that he was made Chief Justice of his Court of Common Pleas. Still higher was he honored by his legitimate sovereign, when he was restored to the throne of his ancestors; he was placed in a more exalted station. But under both governments he was that honest man who never warped the law aside to serve the power of the usurper, or gratify the wishes of the dissolute ministers of the monarch. He never forgot his duty to his country, but he was ever the firm friend of the legal liberty of the subject. Gentlemen, I will tell you with respect to constructive Treasons, what that learned judge and good man says. He states that the statute of Edward is distinct with respect to the levying of war, but he says, levying of war may be actual or *constructive;* that is, constructive such as great riots, or for general purposes; but he shews what he thinks of those lawyers who have extended the simple law of Treason by implication and construction. And with respect to constructive Treasons, I will myself say, and I am sorry to say, it has been the device of bad lawyers to further the oppressions of wicked statesmen. Judges of the present day must be bound by the resolutions of their predecessors, and take the law of Treason as they find it recorded; so says Lord Hale, who, after having stated several constructive Treasons, says, "These resolutions being made and settled, we must *acquiesce* in them,"—he says not a word of their propriety, or of his approbation of them, but you may see plainly what was the bearing of his own mind.—These resolutions being made and settled, we must *acquiesce* in them; but, in my opinion, if new cases happen for the future that have not an express resolution in point, nor are expressly within the words of the statute of 25th Edward III, though they may seem to have a parity of reason;—it is the safest way, and most agreeable to the wisdom of the great Act of 25th Edward III, first to consult the Parliament, and have their declaration, and to be very wary in multiplying constructive and interpretative Treasons, for we know not where it will end." Thank God, Gentlemen of the Jury, it is in your power to put a stop to their dangerous progress:—if you find verdicts on these constructive Treasons, God only knows where they may end; but once

let English Juries oppose them firmly by their verdicts, and whenever they have a case of constructive Treason brought before them, of which the Crown lawyers can shew no precedent exactly in point, let them exert their glorious privilege, and deny to them a verdict of guilty on such constructive Treasons. Do this, Gentlemen, and save your country. You thus interpose an impenetrable barrier against the progress of power. I am one of the last men in the world that would ask you to do any thing that should shake the confidence all men have in the laws; but I do ask you, and I ask you feeling that I am doing my duty, to oppose yourselves to this dangerous tribe of constructive Treasons; and if my learned friend the Attorney General cannot show you an exact precedent in point, rather than follow his advice, follow the advice of that great and learned Judge, oppose the constitutional barrier of your verdict to it, and rear up no more constructive Treasons

Gentlemen, there is so much matter in this case of grave and serious import, that I cannot treat the other part of the case which remains with the levity and ridicule with which it well deserves to be treated,—I mean so much of the plot as relates to the overthrow of Government. Good God, Gentlemen, is it in a British Court of Justice that we are trying a plot for the overthrow of the British Government with materials of war such as those lying before you. What is the greatest number of men that we have it in evidence were to be brought into the field for the destruction of this mighty empire?—Forty men! What were those forty men to do?—They were first to assassinate the whole cabinet council; they were to send a detachment to seize two pieces of cannon—not a single horse among them: they were to send another detachment to seize other six pieces of cannon! they were to seize on several out-ports! they were more particularly to take Brighton with a force; the detachment for this purpose, I presume, was to have gone down on the outside of some one of the quick travelling coaches, and to have taken the town by surprize! They were to surround London, as I believe it is stated in the evidence in this cause, that they were to be so much on the alert with the residue of their

forty men, that not even an orderly was to be allowed to leave London for Windsor; but that truly even if an orderly were dispatched, and were lucky enough to evade their vigilance and reach Windsor, they had nothing to fear, for the troops having been up all night at the funeral of His Majesty, they could not return to town time enough to rescue London out of the hands of this formidable band of warriors! Now, Gentlemen, this is the story upon which you are to find these men guilty of High Treason!

I have said to you, Gentlemen, that there is no confirmation of that part of the story which relates to the facts constituting High Treason, and that (though it may be tedious to you to repeat it so often) is the very essence of this cause, and which you should never dismiss from your minds. You are to look how far this man is confirmed; if he is merely confirmed up to the point of the assassination which perhaps I may admit; for what is found in Cato Street, and the occurrences which there took place, may confirm him up to that extent. But if he be confirmed only up to that extent, there remains no confirmation upon that part of the case of which you are now called upon alone to decide, and on which alone you can say High Treason was in the contemplation of these men. But, Gentlemen, before I dismiss the evidence of this man (and I do it with the less reluctance, because my learned friend who is to follow me, though we came late instructed into the cause, yet from the respite the Court granted him, the other might come so well prepared that it relieved my mind from the grief I felt from not being able to do my duty in the manner I wished to have done it,) though I have omitted a great deal, there is but little my learned friend will omit; you will hear from him the evidence most minutely dissected in every part. But before I quit this man, let us seriously pause.—Who is he that tells us this tale, and demands our belief in his testimony? Who is this man? Let him answer for himself; he stands here upon his own confession—a betrayer of his companions!—a traitor to his king!—a rebel against his country!—an avowed intended murderer and assassin!—an apostate from his religion!—and a denier of his God!

Good heavens! Is it in a British Court of Justice? Is it here where we have met to administer justice according to the manner of our forefathers in this her ancient sanctuary? Is it here before a British Jury that the lives of eleven men are to be sacrificed, upon the evidence of such a witness, and not merely their lives, but—if the law is to be literally put in force—their lives with torture. Can a British Jury condemn their countrymen to death and torture—their names to eternal infamy—and their families to utter ruin upon the evidence of such a self-convicted wretch as this?

Gentlemen, as I prefer, upon all occasions, the authority of great men, I would refer you, in this case, to what I have heard fall from my learned friend the Solicitor General, without alluding to what cause, or when it was, or how long ago. But, upon an occasion when a witness was called to prove that another witness was not worthy of being believed upon his oath, the witness called to impeach the credit of the other, upon his cross-examination stated, that the man who he said was not worthy to be believed upon his oath, had made a proposition to him to go together into the Park, for the purpose of extorting money of others by certain nefarious threats, and that he went with him but without having committed any guilt of that sort. When my learned friend, the Solicitor General, came to comment upon this testimony, the natural feelings of his mind broke out, and his exclamation was, "would an honest man, worthy of credit in a Court of Justice, act the part that this witness has acted?" —namely: would an honest man, worthy of credit in a Court of Justice, for a moment assent to a proposition to extort money from another? Then let me apply this reasoning of my learned friend, the Solicitor General.—Is the witness that he has produced—is a man who could act the part he has acted, worthy of credit in a Court of Justice? Is an apostate! a traitor! a rebel! a betrayer of his companions! an assassin! a murderer! all of which this witness Adams admits that he has been, and intended. In the language of my learned friend, the Solicitor General, is such a man worthy of credit in a Court of Justice? And yet my learned friends, the officers of the Crown, put up such a

man this day (or at least yesterday) as a man worthy of credit in a Court of Justice. Can he be worthy of credit, unless indeed, which I think no lawyer will ever contend, that he is worthy of credit when produced by the Crown to seek men's lives, but not worthy of credit when he comes into a Court of Justice to give evidence on their behalf: unless my learned friends, the Crown lawyers, can reconcile this contradiction, out of their own mouths I have it, that such a witness is unworthy of credit in a British Court of Justice.

Gentlemen, I know what answer may be attempted to be given to this observation. They will tell you, perhaps, that this witness is confirmed by other witnesses. I beg of you to examine the testimony throughout, and see whether you can find this witness, as to the material point which you are to try, confirmed by any, aye by any, even an infamous witness, much less by an unsuspected witness. You will not take all this paraphernalia of war, if I may so call it, and the head roll of witnesses you have heard as confirming him as to matters in which he ought to be confirmed. They may confirm him in insignificant points, but you will look for confirmation in the matter of the alleged Treason, and if you find no confirmation as to that point, I beg you, upon the authority of the learned Solicitor General, to dismiss him with shame from this Court of Justice, as a man unworthy here to be believed upon his oath. Gentlemen, if even he were confirmed by other witnesses no better than himself, as to the plot of insurrection and rebellion, it is no support to one infamous witness to confirm him by the testimony of other witnesses almost or equally infamous with himself. Look then to the evidence carefully, and see whether you can find a confirmation of this man in any respect by an unsuspected witness: look whether you can find a confirmation even by those other witnesses who are equally or nearly as devoid of credit as himself.

Gentlemen, the witnesses who speak to the actual transaction, I believe, are but three in number. Now, after you have done with Adams, you come to Hiden. Let us see what sort of a man Hiden is. Hiden says he was formerly member of a shoemaker's club, that is of a seditious club in

plain language, that he met Wilson a few days before the 23d of February, and then what do you find upon his own testimony is the first thing that passes between him and Wilson? He has the effrontery to tell you, that the very first proposition that was made to him, without disguise and without reserve, was, "Will you be one to murder his Majesty's ministers?" Good heaven! what must a man be who hears such a proposition made to him, and does not instantly revolt at it. Is he a worse man, or a better man, than the man who goes into the Park to extort money by threatening to accuse another of certain offences? Is a man who can at once assent to a plot to murder the whole of His Majesty's ministers?—Is a man who, to use the language of my learned friend the Solicitor General, can be guilty of such conduct, worthy of credit in a Court of Justice? The answer he would give you to that is, that he is not. Then, if he be not worthy of credit, what confirmation does he give to that infamous witness Adams? I do not know, Gentlemen, that it may be necessary to go through the whole of the evidence, but he details a long conversation between himself and Wilson all tending to this point, that they had a design in view to murder His Majesty's ministers; but there is not one word of confirmation as to that matter which alone is the charge before you, and on which you are to decide. Not one word of confirmation of any of those facts and deliberations which amount to High Treason. It is true, Wilson tells him, as he says, that there were some persons to go and seize the cannon at the Artillery Ground, and that they were to retreat to the Mansion House; but all this is perfectly consistent with the case of a great riot; all this is perfectly consistent with a case that may be unconnected with the charge of High Treason: it may be true to the whole extent of this statement, but it does not prove the charge of which you alone are to find the prisoner guilty. And then, at the close of this grave matter, comes what?—why this most ridiculous excuse.—"No, I cannot stop to help you;—I approve of your schemes, I wish you successful.—I cannot stop to murder His Majesty's ministers at present, because I have to get a quart of cream for a family, by

which I shall make a profit of a shilling! If this statement is divested of the horror we must all feel at the recital of this abominable proposition of assassination; if it stood simply on the plot to raise rebellion, could I state the fact, and the means of its accomplishment, without at once exciting you to broad laughter. But what is the conduct of that witness when examined? According to his own account, he without hesitation joined in this nefarious plan; he shewed no horror or repugnance at it, but said he would be with them; and at last merely excused himself in the way I have stated.

Then, Gentlemen, the next witness is Monument,—he states a conversation he had with Thistlewood. And the thing that presses most in his evidence is this; that Thistlewood said to him, he ought to get arms; for that all his friends had arms. Gentlemen, you will lend your attention to the particular circumstance of the time, when this was said.—I cannot, I do not, stand here to deny, that there was a great deal of ferment at this time in the country. It was shortly after a transaction took place, or at least while it was still recent in the minds of men. A transaction, than which no transaction that I recollect in my time, has been matter of more public discussion. I mean the transaction which took place at Manchester, in August last, of which I will speak in no terms indicative of my own opinion. But this I may surely say to you, that it was a transaction of which many men thought very differently from each other,—many who were in general warm friends to all the measures of government, thought that a transaction, where so many British subjects, had lost their lives, by an armed force attacking an unarmed mob, was at least matter of grave enquiry and investigation; and that before any public expression of approbation was given to that measure, at least it was fit first to be enquired into. Others again, on the other side, who thought that the measure admitted of no palliation, did not hesitate to call it in plain language a massacre. Certain laws against public meetings followed upon that, which many men who were violent in their temper shewed a disposition to resist; and it was said among those, who thought

public meetings necessary to secure public liberty. We will meet, and under these circumstances we will go armed to resist the attempts of the soldiery to disperse us. This fully explains what Thistlewood's meaning might be—" I and my friends who have this view of the public transactions, are determined that we will have our meetings as usual; and as we see that these meetings, are interrupted by an armed force, we will have our arms also, and will attend armed." Gentlemen, I do not mean to deny that this is a desperate resistance to the law; but be it so. It is not High Treason. And never dismiss from your minds if you think it not High Treason, you must find the prisoner—not Guilty.—High Treason is what alone you are to try, and not disobedience and dissatisfaction to the laws. So that even with this part of the witnesses testimony, brought in confirmation of Adams, it is no confirmation of that, in which he ought to be confirmed, though it may be confirmation of a very bad and seditious and wicked intention on the part of those people.

This witness, Monument, however, Gentlemen, I should tell you, was at the meeting in Cato Street, on the 23d of February, where the whole plan of insurrection, if you believe Adams, was to commence; and now I pray you, does he confirm that part of Adams's evidence, which goes to shew they had a design beyond the murder of ministers? He confirms the whole plot of assassination. The transactions in Cato Street, I do admit, confirm so much of the plan as detailed by Adams; but does he confirm that most important fact, the existence of a supposed proclamation, which was to give a character to the whole meeting. Thistlewood would probably have had that proclamation with him, if it had existence, and would naturally have stated it to the conspirators. Can you believe that if that had been the case, he would not have confirmed that important fact? Does he tell you that any such proclamation was produced or alluded to by Thistlewood; or that any thing more was agitated at that meeting, than a design of riot and this intended plan of murder or assassination. But here, Gentlemen, the same observation applies to this witness, as applied to Hiden; and here let me import to my aid the observation of

the learned Solicitor General. Is a witness, who could so conduct himself, worthy of credit in a court of justice? Then here you have one infamous witness, not fully but partly confirmed by another infamous witness. Then comes a third infamous witness. Is it an aggregate of infamy that will ever make truth? What was his conduct in the witnesses' box to-day. When I asked what he thought of himself in joining in this nefarious scheme—"I was very much to blame."—Do not you consider yourself a most atrocious villain?—"In truth I was *blameable*;" I think such was his very expression, but it was some most trivial and insignificant expression, expressive of no remorse of conscience, and which shewed that his former conduct had made no deep impression upon his heart, and that he continued the same unfeeling villain as when he set out upon the cold-blooded expedition of intended murder.

It may be argued, Gentlemen, for I have heard it so argued before, and it it may be so argued again, that there are witnesses who, if Adam, Hiden, and Monument speak falsely, might be called to contradict them—there is Palin—there is Cook—and there is some other man, who it is said might be called by the prisoner to contradict them. Why, Gentlemen, is not that illusory? I have told you all along these conspirators are not innocent men devoid of all crime; and can you expect that we can call men here in behalf of the prisoner, who will voluntarily come to give evidence in his favor with halters round their own necks. I might put it to the learned Attorney General, if one of them were to venture into this court, and place himself in that witnesses box, would he suffer him to depart the court with impunity. Then if men must come under such circumstances, can you suppose that they will come at all. Let not that argument, therefore, have any weight with you. Let not it weigh against the prisoners at the bar, that they do not call men, who if they were to come here, though they might contradict the witnesses for the crown, as to all that part of their evidence which relates to the facts constituting Treason, must confess themselves guilty of a great deal which would bring them within the grasp of criminal law. Under these circum-

stances, therefore, Gentlemen, it is not to be expected that any such witnesses can be called.—If, therefore, Adams receives no confirmation from his two associates to whom I have referred; see whether he receives any information from the other string of witnesses?—when I say confirmation, I cannot repeat it too often, I mean confirmation as to that matter which makes the Treason. Confirmation, as to other circumstances, I know there is enough.

Immediately after Adams has been examined, Eleanor Walker and Mary Rogers are called. What confirmation do they give? They confirm the fact, that Brunt took a room—the back room in his own house, professedly for Ings, but really for certain meetings. I cannot deny that they had that room, nor that they had consultations there perhaps for nefarious purposes; but the question is, did their consultations there refer to High Treason? And you will always bear in view, as far as the confirmation of those witnesses goes, it amounts to nothing at all as connected with the matters and facts which are necessary to constitute the crime of High Treason.

After that, Hale is examined; he confirms nothing further than that they held meetings in that room; but I think there is a piece of his testimony important to the prisoner: He found the fragments of the cartridge-paper unwritten upon; that cartridge-paper, which was sent for, I say, for the purpose of wrapping up cartridges, but which Adams chuses to say was sent for for the purpose of writing the proclamations. Then they call Smart, Bissix, and Gillan, three unsuspected witnesses, I admit, but what do they prove?—that they saw a man watching in Grosvenor Square, opposite Lord Harrowby's house:—that is confirmatory of the charge of assassination, which I do not in the present enquiry dispute, but as far as respects High Treason, it carries the evidence not one tittle further.

Gentlemen, I shall pass over, or leave to my learned friend, all that passed at Cato Street; because here I am bound to admit to you, that the transactions which took place there are so incontestibly proved, that I should deserve very little credit at your hands if I were to attempt to

deny any part of them. But still it comes back to the same question again: you have to ask yourselves this question, was there any thing which was done there indicative of the ulterior plan of Treason? Much may be found there which confirms the nefarious plan of assassination of His Majesty's ministers, but nothing is found there which confirms the ulterior plan alleged against this man of levying war against His Majesty. And you are to be convinced that these parties were conspiring not only to kill His Majesty's ministers, but to levy war against His Majesty; and if on a view of all the case you shall be of opinion they did not conspire to levy war against His Majesty, although you may be satisfied they intended to kill his ministers, it is no proof to support this indictment charging Treason.

Then, Gentlemen, comes the other question, what is a levying of war? because, if when they had carried their plan into execution, it did not amount to a levying of war; of course, the conspiracy to carry that plan into execution could not be a conspiracy to levy war. Now, levying war, Gentlemen, is a question entirely of fact. I know no technicalities which are to guide you; it is a question you are to put to your own good understandings, and say, what is war? War, in its common acceptation, we know consists in two states arrayed against each other, with forces organized and disciplined, commanded by officers, and supplied with all the material of war. Civil war is but the same thing, then one part of a state is arrayed against another part of the same state,—and, therefore, you are to consider whether if this plan had been carried into execution, you see enough to say there would have been a levying of war. When I say it is a question of fact, I state to you the opinion of the same great and learned judge whom I before quoted, I mean Lord Hale. He states, "what shall be said to be a levying of war," and that is the question for you here, it is partly a question of fact. For it is not every unlawful or riotous assembly of many persons to do an unlawful act, though *de facto* they commit the act they intend, that makes a levying of war, for then every riot would be Treason. So here, if you think they had laid a deep plan

of wicked and extensive plunder, or of riot, or of murder, if it be not a levying of war, it is not High Treason. But, to continue the words of the learned judge, he says, "it must be such an assembly as carries with it *speciem belli,* that is, the appearance of war. Now, Gentlemen, let me pause here, and ask you in the language of this learned judge, did all that was proposed by this assembly carry with it the appearance of war? Forty men! Can you say an assemblage of forty men, for whatever purpose assembled, carries with it the appearance of war? He goes on—"as if they ride or march, *vexillis explicatis,*" that is, "with unfurled banners;" forty men marching with unfurled banners to take possession of two cannon, to take the Mansion House, and overthrow a mighty empire, is that a levying a war? "Or if they be formed into companies."—Are they formed into companies here? I have heard of no companies, nor of any commanders—"Or if they are so circumstanced that it may be reasonably concluded they are in a posture of war, which circumstances are so various that it is hard to define them all particularly."—So says the learned judge, and from what I read to you before, written by the same great man, when it is hard to define them particularly, or they cannot be defined, then the jury are to judge of those circumstances, whether they amount to a levying of war or not. And if the learned Attorney General can shew you no case precisely like this, it is safer not to let in constructive Treasons, but to exercise your just power, and to acquit the parties of any such accusation.

Gentlemen, if my learned friend the Attorney General can furnish you with no parallel case, I think your own recollections will furnish you with something like one. I dare say you all remember three years ago, there was an indictment for High Treason, something like the present. If I remember the circumstances of that case aright, all the same atrocities were there given in evidence, by a witness much like Adams, and who was disbelieved, as Adams, I trust, will be to-day. That witness stated circumstances equally atrocious with the present; for though the murder was not then directed against His Majesty's ministers, it was

stated that the soldiers were to be murdered in their barracks; that the town was to be fired; nay, more, it was in evidence there that great parties did actually assemble, and you recollect that a gun-smith's shop was plundered of arms, and other arms were found upon rioters; they marched also with flags and banners, and yet with all these circumstances in proof, the jury then judging justly, as I trust you will judge to-day, did not say that the parties were free of all guilt; no! they could not say that; for if they had been indicted for a great and enormous riot, no doubt they must have been convicted. But they said upon the testimony of that day, that which I trust you will say upon the testimony of this day, that whatever was that case it was not a levying of war, and therefore not the High Treason imputed.

Gentlemen, with these observations I will dismiss this part of the case; only let me once more, perhaps I may be tedious, but a man would be rather tedious than fail in his duty. Permit me to call your minds to this point:—It is not a question of guilt or innocence of the prisoner. It is a question of Treason, and no other question you have now to try. There are other indictments now pending for the other offences. The question of Treason, and that alone, is the one you have to judge of on the present indictment.

Gentlemen, with respect to the other parts of the charge, I do not apprehend they will be much relied upon. But I will just say a word as to them. It is charged in two of the counts of this indictments, that there was a compassing and imagining the death of the King; and also that there was a design to depose him from his royal style and dignity. As far as you have any evidence before you, even putting out of your consideration, the contamination of the material witnesses, there is no evidence, whatever, of any hostile intention against the person of the King. And it is to-day, for the first time, that I am to hear (though I dare say it is a very convenient doctrine to the ministers) that they consider themselves so unalienably united to His Majesty, that all conspiracy against them and their places, must be considered as a conspiracy against Majesty itself. To deprive them of their places, certainly is not High Treason, because there

always has been, and ever will be, parties who think the present administration,—when I say the present administration, I mean the existing administration of the day, may be fairly opposed and removed, and that another administration can be formed, who will manage the affairs of the country much better. This is the uniform language held by some persons in a certain great assembly in this country. It is a constant endeavour, to persuade the country to that effect; and, therefore, the depriving His Majesty's ministers of their places is no Treason. Has conspiring to deprive His Majesty of one or two of them by force, ever been held to be High Treason? Certainly not. And I do recollect to have read in some portion of our history, whether this reign or the last, I will not undertake to say, that certain privy counsellors themselves have gone into the field and pointed their pistols to each other, each intending, no doubt, to deprive a minister of his place and His Majesty of a counsellor. Now, those gentlemen would have thought themselves very strangely treated, if an indictment for High Treason had been preferred against them, though if the event of their battle had been different, they might have been treated with an indictment of another description. Then Gentlemen, to go one step further, is depriving His Majesty of all his ministers at once by force, High Treason? I say it is not. And though I have all the horror which must be excited in the breast of an Englishman, at a plan of this sort, I cannot sacrifice my duty to my feelings, and refrain from warning you, not to pervert the laws from their just ends—not even to punish guilt. For the protection of the lives and liberties of us all, which are only safe while the law is inflexibly administered, you will, I am sure, attend to the matter alone in the charge before you, and consider whether or not the prisoner has been guilty of High Treason, and High Treason alone.

Gentlemen, it is a great consolation to me that I am to be followed by my learned friend, who with far more eloquence and ability than I possess, will point our the discrepancies in this evidence. I have been anxious to do my duty to the prisoner—not forgetting that duty

which I hold every lawyer owes to his country. I have told you the danger, and have read from the highest legal authority the fatal consequences of letting in a flood of Constructive Treasons, which, thank God, it is in your power to prevent. And be assured of this, that whatever you may feel as to the particular circumstances of this case, you are best serving your country when you confine yourselves strictly to the consideration of the offence charged by the indictment before you. You will, therefore, take all the circumstances of this case into your consideration, you will say, whether you can find upon the whole testimony, including the contaminated testimony of Hiden and Monument, those facts proved, from which you can infer, that there was a plan of levying war against His Majesty, in order to force him to change his measures; weigh all the circumstances, if you do find them fully proved, I cannot expect you will find any other than a verdict of—Guilty: if you do not find them fully proved, I am sure you will not hesitate to pronounce a verdict of—Not Guilty. Consider it well, I can say no more. May that Being, in whose hands are the issues of life and death, direct your minds to a right conclusion.

Evidence for the Prisoner.

Thomas Chambers sworn.

Examined by Mr. Adolphus.

Q. Where do you live?

A. No. 3, Heathcock Court, in the Strand.

Q. That is nearly opposite the Adelphi, I believe?

A. Yes, it is.

Q. Do you know a man of the name of Adams?

A. Yes, I have seen him, he came to my place.

Q. In whose company did you see him?

A. Edwards's.

Q. About what time did you see him?

A. About a week before the Cato Street business took place?

Q. Where did you see him?

A. In my room.

Q. Who were there?

A. Myself and Edwards.

Q. And Adams?

A. Yes.

Q. Tell us what passed then?

Mr. Gurney. If my learned friend is proposing to give any contradiction to Adams, he should put a distinct question.

Mr. Adolphus. With all my heart, I should rather do it so. Did Adams and Edwards come in company or separately?

A. They came together.

Q. Did they make any proposal to you about the assassination of His Majesty's Ministers?

A. Yes.

Q. Did Adams say to you that they would do it, and that they would have blood and wine for their supper?

A. Yes; Edwards asked me to go with them, and I would not go.

Q. Then what did Adams say?

A. I refused; but I ought to state before that, after I learnt——

Q. No; you ought not to state that. Did Adams say to you that they were going to kill His Majesty's Ministers, and that they would have blood and wine for supper?

A. Yes.

Q. Did Adams and Edwards, at any time, come to you again at your lodgings?

A. On the Monday night in the week that the Cato Street business took place, it was a very wet night.

Q. Did you see them again at your lodgings on that night?

A. Yes.

Q. Was that the same night or another night?

A. The Monday night.

Q. On the night of this affair, in Cato Street, did the two come to you again?

A. No.

Q. Who came then?

A. No one, not that day.

Q. When then?

A. On the Monday before the Wednesday.

Q. Did they bring any thing with them?

A. Yes.

Q. What?

A. A large bag.

Mr. Gurney. Speaking from recollection I would appeal to your Lordship's notes, whether there was such a question put to Adams.

Mr. Adolphus. I was not able to take a note of my cross-examination, and therefore I cannot speak to it: I will not press it then. Did you see them again?

A. Yes, with a large bag which they wanted to leave.

Cross-examined by Mr. Gurney.

Q. What are you?

A. A boot maker.

Q. How long have you known the prisoner Ings?

A. Where is the prisoner Ings?

Q. Turn to the bar and look?

A. I might have seen him, but not to have any knowledge of him.

Q. I know that; that is not an answer to my question?

A. How long have I known him? I cannot say.

Q. About how long?

A. I cannot say.

Q. You really cannot say how long?

A. No; I do not suppose I have been in his company above twice, or three times.

Q. At what places?

A. The first place I ever saw him to speak to him was near the court where I live, at a pamphlet shop.

Q. Is that the shop where they sell Black Dwarfs and Medusas.

A. Yes.

Q. Kept by whom?

A. Let me see—I do not know—Watling, I believe.

Q. You are quite right. Give me one of the other places at which you have seen him?

A. I cannot state where I have seen him.

Q. Oh yes, you can?

A. I am sure I cannot in truth charge my memory with it.

Q. I must trouble that memory of yours, because when you have seen a man three times you must know where. Shall I help your memory?

A. I cannot state where it was.

Q. Do you know a house called the Scotch Arms?

A. Yes.

Q. Where is that?

A. In Round Court in the Strand.

Q. That is not far from your lodgings you know?

A. It is not.

Q. Did not you see him there?

A. No.

Q. Will you swear that?

A. Yes.

Q. Positively?

A. Yes.

Q. You have been there?

A. Yes.

Q. When?

A. Three times.

Q. When were those times?

A. Before Christmas.

Q. Who was in the chair the first night?

A. There was no chair where I was, nor any business going on.

Mr. Adolphus. I submit. Who was in the chair when these prisoners are not proved to be there is not evidence?

Mr. Gurney. My learned friend is anticipating what probably may come out.

Lord Chief Justice Dallas. I cannot anticipate what may come out in the evidence.

Mr. Gurney. I am not pursuing it wildly I assure your Lordship. Who was in the chair?

A. There was no person sitting in a chair.

Q. But there might be a chairman without that?

A. But I can say there was not.

Q. How many were there?

A. I cannot tell, it was in the tap-room.

Q. No other room but the tap-room?

A. No.

Q. The other nights you were there were you in no other room but the tap-room?

A. Three times is all the times I was there, and always in the tap-room.

Q. Do you know the Black Dog in Gray's-Inn Lane?

A. I have been at a public house, which I have since heard was the Black Dog, once.

Q. Who was in the chair then?

A. There was no chair then, it was in a little parlour.

Q. What was the size of the company?

A. It might be about seven when I was there.

Q. When was it?

A. On a Sunday night.

Q. In what month?

A. I cannot state.

Q. Before or after Christmas?

A. I cannot positively say.

Q. I dare say you could give me the names of those seven, all of them?

A. I am sure I could not.

Q. Give me the names of those you do remember?

A. I was invited there by a man of the name of Bryant.

Q. When you went there whom did you find?

A. I cannot exactly say.

Q. Just give me some of them?

A. I was invited to take a pint of beer with him, he was going to the Cape of Good Hope.

Q. Who were there invited to take leave of your friend Bryant?

A. They were all strangers to me except one.

Q. Who was that one?

A. That was Mr. Thistlewood.

Q. Do you know Brunt?

A. Very well.

Q. Will you swear Brunt was not there?

A. Yes.

Q You will?

A. I will; not when I was in the room he was not.

Q. Do you know Palin?

A. No, I do not think I do know Palin, I never had any conversation with him to my knowledge.

Q. That might be, but will you swear you do not know him?

A. No, I will not do that, for I may have seen him in a public house.

Q. Did you attend the meeting at Smithfield in December last?

A. You mean the last meeting that was held there.

Q. You might go to the first as well as the last?

A. I was at all of them.

Q. Who carried the black flag?

A, That I cannot state.

Q. What flag did you carry?

A. I carried no flag the last meeting.

Q. Any meeting—the last but one, perhaps?

A. Let me see—I have carried two flags.

Q. Did you carry the black flag either of the times?

A. No, I did not.

Q. What flag did you carry?

A. It had inscribed upon it—"The Manchester massacre."

Q. Did you carry the flag with the inscription—"Let us die like freemen, and not be sold like slaves?"

A. I never saw such a flag as that.

Q. At either of the Smithfield meetings you never saw such a flag?

A. Not to my knowledge.

Q. Did you carry a flag on the triumphal entry of Mr. Hunt into London?

A. "The massacre of Manchester," no, the "Trial by Jury," that was the flag I carried.

Q. You have told me you know Brunt very well, and that you know Thistlewood, do you know Davidson?

A. Yes.

Q. And Tidd?

A. No; I have not much knowledge of Tidd; I may know him by seeing him in out stock meetings, in conducting our trade affairs.

Q. Do you know Wilson?

A. Yes, I have seen Wilson.

Q. How often have you seen him?

A. I cannot exactly say.

Q. Do you know Harrison?

A. Very well.

Q. And Bradburn?

A. No; Bradburn I have not much knowledge of.

Q. Strange?

A. No; I do not know Strange at all.

Q. Gilchrist?

A. No, I do not.

Q. Or Cooper?

A. Nor Cooper.

Q. These you do not know?

A. No.

Q. How long have you known Mr. Thistlewood?

A. Ever since Mr. Hunt's triumphal Entry.

Q. You, I dare say, were excessively shocked at this proposition, made by Adams and Edwards, to you, to go and assist in assassinating His Majesty's ministers?

A. It shocked me so I would not go to do any such thing.

Q. And as Bow Street is a very little distance from you, I dare say that induced you to go and lay information?

A. No.

Re-examined by Mr. Adolphus.

Q. Did Edwards or Adams know of your acquaintance with those other persons when they came to your house?

A. I cannot say how Edwards came to know of it.

Q. But, however, they came?

A. Yes, they did.

Mary Baker sworn.

Examined by Mr. Curwood.

Q. Are you Mr. Richard Tidd's daughter?

A. Yes, I am.

Q. There were certain things found at his house by the police officers?

A. Yes.

Q. Some powder?

A. Yes.

Q. And grenades, as they are called?

A. Yes.

Q. And some balls?

A. Yes.

Q. Who brought them there?

A. They were brought in in the morning that they were seized.

Q. Who brought them?

A. A man and a boy.

Q. Do you know a man of the name of Edwards?

A. Yes; he brought some of the hand-grenades.

Q. Did he bring them there the morning they were seized?

A. No.

Q. But before?

A. Yes.

Q. When were they taken away after they were first brought?

A. They were taken away and returned.

Q. Did you see Edwards on the morning of the 23rd?

A. Yes.

Q. What did he do then?

A. He came and took some of the grenades and powder away.

Q. Were any of them brought back again?

A. No, not by him.

Q. By any body?

A. I dare say they might be the same that were brought back on the 24th, but I do not know.

Q. Was there one very large one, do you recollect?

A. Yes.

Q. Who brought that first?

A. Adams.

Q. Was that brought back again?

A. No.

Cross-examined by Mr. Solicitor General.

Q. The box, I believe, was not taken away?

A. It was taken by the Officers.

Q. How long might the box have been there?

A. It might have been there two or three days.

Q. How long had the grenades been there that were taken away on the Wednesday?

A. I do not know, they might have been there a fortnight, I cannot say as to the precise time.

Q. What time of the day, on the Wednesday, was it they were taken away?

A. In the morning part.

Re-examined by Mr. Curwood.

Q. Was the box fastened or corded?

A. Corded.

Q. Had it been opened at all to your knowledge?

A. Not to my knowledge.

Mr. Curwood. We shall not trouble your Lordship with any more witnesses.

Mr. ADOLPHUS.

May it please your Lordship,

Gentlemen of the Jury,

The course of this cause has now brought on that period, when it becomes my duty to address to you such observations as occur to me as likely to be favorable to the prisoner, who stands before you for his life or death; and Gentlemen, if there wanted no other motive to induce you to give a serious attention and a kind indulgence where it shall be necessary to the arguments I have to submit to you, this consideration would be sufficient, that probably the few feeble sentences I shall utter, will, if your opinion should not coincide in that which I have to say, be the last favorable words concerning that unhappy man, which he will ever hear in this world. When I say favorable words Gentlemen, I do not mean that the learned Judge, who is to sum up the evidence to you, will not make every suggestion in his favor that the law and the facts enable him to make, but that you will not hear from any person after myself, an address made to you purely in favor of his cause you will hear, recommended with all the weight of authority, and all the force of talent, a strong set of observations against him, against all that has been advanced by my learned friend, and against all that I shall advance, but in his favor you will hear nothing but those deductions which the evidence draws forth from the learned Judge, and which, I hope, to whatever extent they may go, will also find with you a most favorable acceptance.

Gentlemen, having so very lately performed the duty which I am now called upon to perform for another person, I feel most sensibly that langour of mind, and that feeling approaching, if I may be allowed the expression here to distaste which ever attends those who have to tread twice over the same ground, those who have to advance for a second time the arguments and the topics they have advanced once before. I can have no means of

varying my statements, except by abridging them, I can have no means of adding to their force, unless I were to call in aid, that which I have not a renovated mind and extended abilities, such as within the short period which has passed between Wednesday and this day, of course cannot be expected. But Gentlemen, I advance to the performance of this difficult task with a mind the more clear, and with faculties the more unfettered, because I am enabled to lay my hand upon my heart, and to say that no one opinion which I have had the honor to submit to the former jury, has since been impaired in my mind; but, on the contrary, that the transactions upon the present trial, and the variances from the evidence which I heard before, very much confirm and advance those opinions which I formerly held, and make me flatter myself that I shall not, without the effect of conviction, address to you some of my arguments and observations.

Gentlemen, you have been told, in the fervid and eloquent opening of this case, by the learned Solicitor General, and you have heard it since from my Lord, in a way that I hope I shall not cause it to be mentioned again, that the verdict which has passed ought to be as much out of your minds, as if it had never occurred. I agree perfectly in that, I recommend it, and I pray it may be so, but at the same time I know how difficult it is, nay, how almost impossible it is for any men, however correct their minds may be, not to let their judgments be in some degree influenced by their memories, not to permit their minds to be swayed by some consideration of that which twelve virtuous, discreet and honest men have done before them. I am therefore, to pray you to exercise on behalf of this unhappy man, with its utmost rigor, that difficult duty of abstraction and self-denial—to forget every thing except what you have heard in the course of yesterday and to day, as much as if you were totally unconscious of its having passed, as if this man were brought to a separate trial, and had no connexion with any other person who has undergone, or is to undergo the judgment of a Court and Jury.

Gentlemen, when I speak of my own wearinesss of my own something approaching to distaste in entering on the trial of this prisoner, I cannot help contrasting myself with the learned Solicitor General, and his evidently joyous and happy situation—he is going a journey, as he expresses it himself, with an assumed confidence, that he cannot fail of arriving ultimately at the point of success—he put it to you that he did not state what he expected to prove, but that he knew what he should be able to prove, he did not put it that he had any doubt or difficulty about making out his case, but that experience had taught him, and he knew what he should be able to make out, because the witnesses had undergone examination before, and he could calculate what their disclosures would be. To me there can be no such advantage, to me the very little advantage I shall have, will be to shew you hereafter, by the comparison of Adams's testimony, as he varied it himself from one day to the other, that if I could be prepared to answer the facts then disclosed, new facts were in reserve, and I should have a new case from the same witness, he having known of things which he thought fit not then to state to the Jury.

Gentlemen, it is very usual with us, when we fear that the talent we have to bring to the subject may be overbalanced, either by the popularity of the cause, or the ability of the advocate you have already heard, to pray you will dismiss from your minds certain topics which have been introduced. In the course of the speech of the Solicitor General, there was a great deal of fervid declamation applicable to the horrors which might have been produced by these speculative enterprizes—I must beg you to avert your minds from those descriptions, to think only of that which is actually proved to have been meditated and done, to carry yourselves no further than the witnesses carry you, and to examine the testimony of those witnesses with that strictness, from which alone the result of justice can be obtained.

Gentlemen, the learned Solicitor General seeing rightly I cannot call it foreseeing, for it was rather taking a retro-

spective view, seeing exactly what the course of his evidence would be, and what the course of the examination of his witnesses would turn out, proposed to prove his case by two means, the one was to be by an accomplice, and the other by witnesses, who should support that accomplice, and which witnesses he said to you, and particularly applied the observation to one of the name of Hiden, which witnesses should be unimpeached and unimpeachable. The learned Solicitor General then proceeded to state the law with respect to the examination of accomplices, certainly it would be impossible to lay down positions of law with more eloquence than he did upon that occasion, but I cannot help thinking, with the deference due to his high station, and that character he has maintained through life, that a little accuracy might be added to his propositions by talents much inferior to his own. In considering the evidence of an accomplice, this is most true, that you must consider him as a witness, whom necessity puts into the hands of a prosecutor, and for whose antecedent delinquency, they who bring him into court are, in no wise answerable, so far he can be used by a prosecutor, without throwing any stain on a prosecution, or those who conduct it. They do not willingly contaminate themselves with a bad man, but they do that which the Solicitor General intimated to you they alone can do, they pursue the course of the conspiracy, by having recourse to the eye sight and knowledge of those who have been in the dark recesses of those conspiracies, and can alone state what happened there. Thus far I agree most implicitly with the Solicitor General; but, Gentlemen, when Juries and a Court have accomplices before them, there is a great deal more to be done than the learned Solicitor General pointed out to you, which, indeed, amounted to no more than that you were to look at him with the same eyes as you would at the most respectable witness, for he says this, first you are to examine the interest he has in the evidence he gives, so you are if the most respectable man I see in Court were to come to give evidence, if there is any interest or even any

feeling arising out of partiality or affection, you will take that into your consideration, in forming your estimate of the evidence, who ever may be the witness, in that therefore, an accomplice would not stand in a different situation from the most honorable of mankind; but he does stand in a different situation, and it is over this that the talent of the Solicitor General has been employed to throw a cloak, he asks, has Adams any interest to add to the deepness with which the crime is already invested? has he an interest to represent matters worse than they really were—has he an interest to carry any point in the cause? Yes, Gentlemen, yes is the answer to every one of those propositions, he has the strongest interest, he has procured a conditional indemnity, as we are to suppose, out of the concession of the Solicitor General, by proposing to come forward as a witness; but he comes in chains and in custody, he comes not as a free man, speaking spontaneously the dictates of his own mind, and standing upon his honor and conscience, but he speaks as a man who must carry certain points to earn that which has been promised him, and without which, he has no reason to think he shall obtain either indemnity or advantage, they are to depend upon the success which attends his evidence. Gentlemen, I do not rely in this on assertions which may be made, I shall refer myself to your own good sense, to the experience you must have of the nature and operations of the human mind, whether you can give the same belief to a man who comes into Court in chains and in custody, which you would to a man who comes free from fear, and exempt from bias, especially when he comes in the chains and custody of those who can prosecute him at the same moment for the offence which he comes to prove against others. I do not say that he is incapable of being received as a witness, but that he must be received with much more care and caution than would be necessary with a witness of any other description.

Gentlemen, we are asked again, does this witness expose himself to contradiction, and is he contradicted; the same question too applies to every other witness, in every

other case;—every witness must take that which an accomplice must take, the chance of being contradicted, if his evidence is capable of contradiction. But the accomplice, whatever may be said about him in other respects, has this advantage over an honest witness, unless a proper deduction is made from his testimony by the Jury, that in a matter of conspiracy, particularly all those, or nearly all those, who could contradict him, are tied up and prevented from doing so by being included in the indictment; and whether they be convicted or not, they cannot be witnesses to contradict him. If this prisoner, for example, were acquitted, undoubtedly he could be a witness for others, but until he is acquitted, the law does not give a man that advantage which he would have, if the individuals who might give evidence for him were charged in a separate indictment, and being supposed innocent until pronounced guilty, might be received as witnesses before their trial. Thus therefore, those most capable of contradicting the accomplice, are tied up and prevented giving their evidence; but, Gentlemen, when we are asked are the witnesses contradicted that have been brought forward, I cannot help thinking it something more of a taunting question than I should have expected. If there are men who are not named in the indictment, and who may be cognizant of some of the transactions on which it is founded, can it be supposed, when a witness for the Crown is brought into Court under a guard, and in custody, that he who should come against the Crown, would fail to expect that his day would come; that ere long he would appear in Court in a very different character from that of witness. Can it be supposed for example, that Palin, who has been named by the learned counsel for the Crown, can come here as a witness? it must be known he is beyond the reach of any subpœna, but even if he could be found, could it be expected that he would come forward. What then avails us the offer that we may produce him, when he who makes the offer must know that which the witness Taunton tells you upon his oath, that from the moment of this affair taking place, Palin had

been a fugitive, and a large reward offered for apprehending him, truly the offer is most gracious to us: you may call Palin when Palin could not come; if we could find him without the certainty of going to prison, but Palin cannot be found, because all the vigilance of the police officers, stimulated by a large reward, does not enable them to discover him; such an offer therefore does seem more an essay upon our weakness, than a suggestion of the means of extricating ourselves from peril.

Gentlemen, when the statute passed, which directs that a list of the witnesses shall be given to the prisoner, it certainly was with the benevolent view, that by knowing who should appear against them, they might know what sort of evidence to prepare, in order to repel the testimony of those witnesses. The prisoners here have a list of, I think, of one hundred and sixty-eight individuals; nothing to guide their judgment, no knowledge but such as their own feeble and unwarranted expectations enabled them to form of who would be likely to be called against them, and whom they should be able to contradict; they give their instructions accordingly, and when they are prepared with instructions to contradict a witness whom they expect to be produced, because he has been mentioned throughout the transaction, he is not brought forward. When another witness is called, and some evidence has been offered to prove him unworthy of belief, when we have other witnesses on the floor to prove him a man to whom no credit ought to be given, we find him withdrawn, and that expence has beggared still more an exhausted purse, and those witnesses who have come to particular facts——

Mr. Attorney General.—Really, my Lord, I must interpose.

Mr. Adolphus.—I was within two words of finishing my sentence.

Mr. Attorney General.—If it is done it is not worth while to object.

Mr. Adolphus.—I should be sorry to say any thing irregular. If I am wrong I shall submit to correction

from my Lord. I trust I was making no observation that was not perfectly warranted by the opening; it was put to you, Gentlemen, that you might believe the witnesses to be produced for the Crown, unless the prisoner contradicted them by witnesses. I was shewing you how difficult it was for the prisoners to produce that evidence, and I was shewing you more particularly that the list of 168, which by formality of law has been delivered to them, presented no certain indication who would be called; and that even if that circumstance could have guided their judgment, or influenced their intention, that some how or other, by the subtraction of some evidence, that judgment was exercised in vain. Now, Gentlemen, though you have heard a much more able argument on the other side than I shall be able to make, I should think in common fairness, and common candour, I have a right to answer the arguments of the Solicitor General, and to say that you are not without witnesses, because we are not able to produce them, but because when we have gone to the labour and care of obtaining them, the expence is thrown away, for the witnesses announced to us are not brought forward by the crown; and whatever reasons we may have had for believing they will be called, to our great disappointment they are not so.

Gentlemen, it is said there are other witnesses, Cook and Harris, who have been present at some of those conversations, and may be called. I deny that there are any such witnesses; the witness, Adams, has told you that which is untrue; there are no such persons whom we could adduce; there are such persons in the other room, whom the Crown could call, and then we should see whether they would swear to that which the informing witness has advanced; but if I had produced to you a witness of the name of Harris or Cook, we might have been told very true, as that Harris or that Cook says he never was at such a meeting; but he is not the man alluded to. We, on the side of the prisoner, do not know where to find him, and we should be treated with a sort of indifference as to the effort we had made, (for I

will not use any other expression) and be told we had proved nothing. But I do apprehend this, last of all, says the Solicitor General:—You are to observe whether the accomplice witness is or is not confirmed, not last of all, Gentlemen, but first of all. I say it is a primary proposition in the administration of law, that an accomplice cannot be believed unless he is adequately confirmed that he is, as the Solicitor General says, a competent and a credible witness; nay, I can produce the dicta of judges, that he is capable of being heard, although there is no confirmation of his testimony, but shall ever traverse in my mind the succeeding words of the same learned judge: "When I have granted all this, he said, I have conceded merely a barren truism, for it has always been the practice, and I believe always will be the practice of judges to tell juries that they cannot believe an accomplice unless he be confirmed, or, at all events, not to make up their minds to a verdict on such evidence unconfirmed." Not confirmed, I admit, in every proposition, but so confirmed in some particular essential to the issue, as to make it safe for a jury to believe the whole of his evidence. Gentlemen, there are other points to which I will call your attention, which will shew what credit ought to be given to an accomplice, and whether or not he ought to be believed; and I consider this of the more importance, because in defiance of all I have heard, or may hear from any quarter, I do maintain, and must maintain, that the treasonable intention upon which alone you can find the prisoner at the bar guilty of High Treason, lies in the mouth of the accomplice alone, and if he is unfit to be believed, and you erase, as you then must do, his testimony entirely from your memory, and your judgment, there is not a shadow of proof against the prisoner to convict him of High Treason. When I speak of the confirmation of a witness, I do not speak of those unimportant confirmations that in some parts the accomplice has received; I do not speak of games of domino, of lighting of candles, of flannel bags, and ball-cartridges, which may have been intended for one purpose or another, but of some direct application of that intention, which at

present lies only in the mouth of a witness whom I shall maintain to be, on his own shewing, utterly incapable of being supported, except by complete confirmation.

Gentlemen, the points to which your attention ought to be directed are these:—Is the account which Adams has given, probable or even possible? Is the conduct of the witness such as to entitle him to belief; or does he throw doubt and suspicion upon himself? Is he contradicted by all the witnesses produced on the one side; and is he confirmed as far as he might be; or are witnesses withheld for fear, that that which is intended for confirmation, should turn out to be contradiction? Those are the points to which I think you ought to direct your attention; when I say you ought, I say it with submission to your own better judgments and the directions you may receive from above; but I say on every one of these points the evidence of Adams will be found lighter than the air or the vapour which floats upon it.

Gentlemen, as to the probability of his story, it is almost conceded by the other side, that it is utterly void of probability, they do not effect to say, this is a narrative we should have believed by itself, although we do not admit that the ground on which it is impeached, namely, its improbability applies to that more than to other conspiracies which have existed within our own observation, I deny that Gentlemen—that improbable plots may have arisen within our own observation, or been stated in history, I do agree; but I assert, that no one so improbable as the present ever existed in truth or fiction; when I say never, I do not pretend to have read every thing; but in all my reading, I am not aware that any one so improbable ever existed either in Great Britain or elsewhere. Gentlemen, I am not rash enough to say, and never will say, that because a plot is improbable, you are, therefore, to disbelieve the plot; but that if a witness comes forward, of a most supicious and odious description, and gives you an account of a transaction which is deprived of all human probability, it is not his positive swearing that such a plot existed, that is to induce you to believe it did exist; but on the contrary, you have to weigh this; have a dozen

men, or any certain number of men, not being under the care of a keeper of madmen, or wearing a strait waistcoat, concurred in a plan which no human being can believe; or is it the malignant fiction of one, who knowing already to what degree they were tainted by an intended murder, and how far they were endangered under Lord Ellenborough's Act, for shooting at the officers, threw in such additional circumstances as might include them all under a charge of High Treason. The witness himself is taken up under a charge of this kind—he is obliged to swear to that which will recommend him—he is obliged to swear deeply—he is obliged in swearing, to assume the semblance of a Christian, he is obliged to aim at consistency, because he dares not move one tittle out of the line, for the consequences to him would be fatal; he comes before you in the midst of these urgent interests and pressing necessities. And can you, Gentlemen, think, that from such a mouth such a plot receives the sanction of probability.

Gentlemen, my learned friend Mr. Curwood, anticipated that I should go minutely into the evidence, to shew its discrepancies, and to shew the impossibility of its being true. I did so once, but I confess I am neither prepared nor desirous to go through it again; and I will tell you why, because I think the leading points may be easily selected and arranged, and that the absurdities will be so glaring, that when once shewn, you will have a full notion of the extent to which you must carry your credulity before you determine in favour of the testimony of a witness like Adams.

It seems that at some time in January, an interview took place between Thistlewood, Brunt, and the witness Adams, at which something was proposed about the assassination of the cabinet ministers; that he became acquainted with Thistlewood, on the 13th of January, and that at some time between that and his going to prison on the 16th, this extraordinary conversation took place. Gentlemen, I have a note of his examination on the former occasion, and I directed his attention to that, and adverted to some

circumstances which I shall not advert to now, but shall notice in my further address to you; but that this plot was arranged in some degree, and was communicated to this man, who was then going to prison, for so small a sum as six and twenty shillings, and who was shut up for that sum for fifteen days. Gentlemen, consider who this man is—a born subject of our lord the King—a soldier who has received his pay—a man who is bound at his time of life, (for as I should think from his looks he must be nearly fifty), to have due and right views of the obligations of society—he keeps this secret in his own breast, determined neither to act upon it nor to disclose it, and restrained by what? by fear, says the soldier, fear acted upon me, even as early as the 15th of January, or the day before I went to Whitecross Street, when I was within four walls—why did you not go and tell the Secretary of State or my Lord Mayor (for it was in London) of this plot, and claim the protection of the prison-walls, till those persons were secured? He tells you that he felt fear, and yet he did not take the means of safety—a glorious specimen of the consistency you are to expect; but this man fears, and therefore hates; for no man fears that he does not hate; but these persons so feared and yet so hated, are the very first persons to whom he addresses himself to on getting out. He is discharged on the 30th, and on the 31st of January, he is with them again, on the 2d of February again, and their plan is then disclosed—a committee is formed—the chair taken—resolutions are passed as matters of business, and all this in the presence of a man of the name Edwards, but he never mentions one tittle to any one on the face of the earth. Gentlemen, do you believe in the fear? do you believe in the motive? Is he not, in fact, the suborned witness of another man, to state something which never did occur, to bring these men whose lives may be forfeited, or are endangered for crimes of another description within that of High Treason, because that is a more acceptable mode of sacrifice, and may do for him that which another accusation would not have done, because as to every thing which relates to the intention of massacre at Lord

Harrowby's house, as to every thing which relates to the death of Smithers, or any other part of the subject you are now trying, there was evidence enough without this accomplice, and therefore, the election must have been made somewhere rather to convict these people of High Treason, and to make them a sacrifice for that, than to convict them of crimes of which they could have been proved guilty, by the most unexceptionable witnesses, if they really are guilty; and so to rid the country of any danger from them, and prevent others from entering into such combinations in future.

Gentlemen, going through the whole of the evidence given on this part of the case, I premise that that is a perpetually glaring absurdity which nothing but the most abominable audacity could ever have detailed. I beg you to attend to the statement of the steps that were taken, of the propositions made, of the feeble force with which it was intended to execute the most extensive plot ever known in this country, and all this not taken up rashly, or on the spur of any occasion, but debated and methodised, discussed and argued for the space of five weeks, no one having the wisdom to find that this project was like the baseless fabric of a vision. Even supposing they are all staunch and firm, even supposing that which he gives you reason to understand they could not possibly suppose, that they had no spies or traitors among them, even if it were left to its own natural imbecility, the acts of plunder and murder, the conflagration of houses, and seizure of property might have taken place, but ignorance and stupidity are not so great as to induce men to believe that any thing further could be effected.

Gentlemen, you have had that which produces always a sort of mechanical effect. I do not mean to pay an ill compliment to your understandings, but you have had a display of visible objects,—pikes and swords, and guns and blunderbusses have been put before you, to the end that this feeling may come into every man's mind, " how should I like to have this sort of thing put to my breast? how should I feel if this were applied to my chimney, and

that to my stair-case," and so on: that is that the individual feeling of each man may make him separate himself from society, may make him, through the medium of his own personal hatred of violence or apprehension of danger think that this contemptible exhibition of imperfect armoury could operate on a town filled by a million of loyal inhabitants, or could give the means of overwhelming the empire. When touched by reason, they come to nothing, and will never produce a verdict contrary to the evidence of facts: it is like displaying the bloody robe of a man who has been stabbed or murdered; it is like the trick practised at every session, where we see a witness pull out some cloak or handkerchief dipped in blood of the person, to produce conviction through the medium of commiseration; they do not trust to description, but rely upon display. That is the effect of the production of these arms; but to suppose that, with such a collection however furnished, that with such a combination of miserable means, four or five and twenty men (for that appears to be the number concerned; fifteen or sixteen the largest number that ever met to resolve) could conceive they could accomplish these mighty designs, does exceed all belief, unless supported by much better evidence.

But, Gentlemen, we are told that it is not because a plot is rash, or ill conceived, that therefore the belief of it is to be rejected. I agree to that, provided it be competently proved. It is said, all plots, in all histories, have been rash and ill-advised; in that I do not agree: the strength of combination, the force of influence, or the weight and application of physical power has characterized every one I have read of, and where rashness has been displayed, it has been from a mere miscalculation, and not where the parties have, perceiving the hopelessness of their attempts, yet persevered in them. I have turned my mind to the case of the Earl of Essex, in the reign of Queen Elizabeth, and I agree that was a most rash and ill-concerted plot; but that illustrious nobleman had a plot in which he was countenanced by, and connected with, some of the first persons in the realm. The rashness

of his enterprize consisted in the idea, on his part, that the great popularity of his enterprize would engage in his behalf the countenance of all the citizens of London. He went out with two hundred followers, and when he found himself coldly received, returned to his own palace, and there defended himself: he betrayed himself by his own rashness; he shewed, it is true, a want of knowledge of the minds of the people among whom he was to move, and a want of sufficient insight into the resources and wisdom of the Government of Queen Elizabeth, which he attempted to overthrow; but his was a very different case from a combination which has no support from influence, or from money; from powerful names, or overwhelming numbers.

Gentlemen, something has been said, or may be said about a parallel to be found to this plot, in the plot of Colonel Despard; Colonel Despard himself a soldier, understanding the art of leading soldiers, is said to have fallen into a plot fully as absurd as this. I shall be astonished if such parellel is attempted in the present case;—I was present at the trial of that unfortunate man and his associates; but from something I have heard on this subject, I thought time must have obliterated the circumstances from my memory, and I was obliged to refer back to the book, to see that it is as different from the plot, you are required to find, as it is possible one plot should be from another. There are it is true, Gentlemen, fundamental similarities, the leader of that plot, had a feeling of resentment against one person, which it may be said is parellel with this in that respect, and he had ulterior objects;—he, the leader, a soldier professed that he had four hundred soldiers at his disposal, and that with the influence of an explosion, he could get the rest of the soldiers, and all the people to be on his side.—Colonel Despard, said, I have a hundred men who will advance, and take the Tower; is that the case here? here are eight men to advance, and take six pieces of artillery, and to march to the Mansion House. The defence of Colonel Despard rested a great deal on the improbability, even of his plot; but there was a damning fact on the very face of it, which no art could surmount.

which no eloquence could palliate, his particular malice was directed against one individual, and that was the beloved and venerable Sovereign, then on the throne; his object was to take possession of the great cannon in the park, and shoot the King as he went to the House of Parliament.—If that was believed, as I know it was believed, then there could be no doubt or difficulty that was a direct Treason against the life of the Sovereign himself; and however absurd might be his ulterior views, that by itself constituted the guilt charged in the indictment against him; but this is not at all like the plan of an attack on the lives of His Majesty's Ministers;—however, valuable individually, or however important their services collectively, an intention to attack, or even the actual murther of them, is not Treason; I know what I myself felt on that occasion, and I believe, the feeling extended to every one present, least of all, excepting the jury; when witness after witness came into court, and deposed as to this part of the plan, and that the Colonel being remonstrated with, as to its cruelty to others who might be in the way of the cannon shot, and the impropriety of murdering a man so well-beloved as the late King, said, "I have examined the matter well, my heart is callous, and I am resolved to do it." Gentlemen, shall it be said that the rash plot of these persons, stands in the slightest degree of comparison with that, although in Despard's plot there was all the inferior apparatus of a provisional government of the taking of castles; of securing ports; and occupying roads; but there was as a previous guaranty, an oath of fidelity to the provisional Government, which it was pretended already existed, and the concurrence in this brought home to every one of the conspirators; there were proceedings which implied, the existence of such a body, and it was held out that men and money from France, would not be wanting, and it was proved that they were confidently expected.—Is this a plot to be put into competition with the Cato Street Conspiracy?—one wonders that such a parellel should be resorted to.—I shall be surprized even if it can be forced on the learned Attorney

General, and be treated by him as one tenable, even for the purpose of illustrating a thought, or turning a period.

Gentlemen, I am not unread in the history of my Country.—I know the plots and conspiracies which have been formed by vile men; I will not refer you to such as that of Long-Beard the lawyer, who held his preaching in Cheapside; but as a conspicuous example;—look at Wat Tyler's insurrection, had that the least similarity, or was it so much within the scope of improbability as this is.—It arose out of the anger of one man, for an insult offered to his own family within his own walls; but far from its being the effort of an individual, the Chroniclers who enter most minutely into the history of the times (I think Hollinshed for one) have said, not only Tyler was exasperated by such an insult; but, that other persons were so in every County, and almost every Town in England, and it is much doubted whether Tyler was the beginner of the Insurrection, or whether another man in Essex did not bring it on before Tyler was a party. But if the popular feeling was roused beyond the possibility of restraint, by the insult offered to the Tyler of Dartford, it is evident that there was in the minds of men in general, a sense of injury and proneness to resentment which wanted only an immediate provocation; for it is stated that on an insult offered to this man's daughter by a tax-gatherer, which flesh and blood would not endure, under pretence of levying a poll-tax,—Tyler hearing a noise in his house, and entering with his lathing-staff in his hand, raught the officer such a rap on the pate, that his brains flew out and he died instantly; that was the circumstance which roused the Country, and occasioned that tremendous insurrection, in which records were destroyed, learning proscribed, nobility trampled under foot, and royalty itself defied and menaced. Is that to be compared to the feeble combination of a dozen persons in a back room, getting at a very small expence such a parcel of trash together, and supposing by that they could over-run the Country, and over-turn the Empire; that was during the reign of an inexperienced infant King, advised by imprudent Ministers, and deserted

or feebly supported by timid friends, that aided by popular feeling of grinding and insulting oppression, ran throughout the kingdom, and prevented the exertions which might have succoured the Crown and relieved the capital; how unlike the feebleness of the present pretended combination; where the strength, the feeling, and the influence are all on the side of government, and those who are supposed to meditate its overthrow, are distinguished only by their beggary and their obscurity.

Jack Cade is another person, who raised one of these insurrections; but for what? to feel the pulse of the Country towards a disputed title;—his conspiracy is known and recorded in history, to have been supported by those who wished to put the Lancaster Title in issue, and who gave their support under hand, to that false Traitor, as he is called in our statutes.—Gentlemen, that is as different, as any historical case can be: as different as the evidence before you, is from reason, consistency, and truth.

Then, Gentlemen, I ask you again, is Adams's evidence incredible? as it will appear, when it comes to be stated, in all its details; and using the same mode of supplication you have heard from my learned friend, begging you to keep those observations in your mind, and try the evidence by that test to forget the garnish of arms, a display more convincing than even all of the eloquence and weight of my two learned friends, who, before the verdict upon this man shall have been submitted to your consideration, will have had to address you. I ask whether this is a plot you would believe out of the mouth of one witness whoever he might be, and much more out of the mouth of such a wretch as that is?

Gentlemen, I go on to the next point I have to treat on. Does Adams entitle himself to credit? Is there, in the account he gives of himself and the manner in which he answers questions, either in chief or in cross examination, that which should induce you to give credit to his testimony? Gentlemen, there is, I am told, in a neighbouring country, or at least there was a time when a display was

made by the timid and false-hearted of what they termed a cockade of circumstances; it had two sides, each representing devotion to a different cause; if Bonaparte was uppermost, the side was shewn which presented the three colours; if Louis was in power, then it was white. Such seems to be the description of Adams's conscience; he wears his religion as these time-serving men wore their cockades.

A man may change his party through fickleness, or may comply with those in power through mere inertness, without bad intention; but he who has received baptismal rites at the font, never renounces his faith in his Redeemer without disqualifying himself for ever from being received as a witness: what is the volume which has touched his lips when he engaged to tell you the truth, the whole truth, and nothing but the truth? The narrative of the sufferings on earth of that Blessed Saviour whom he denies; the precepts of a religion which he has announced; the book on which we Christians place our hopes of hereafter, and by which we endeavour, as far as the frailty of man will permit, to regulate our conduct here; a book which he threw away as idle trash, because he had read, as he expresses it, the accursed work of Thomas Paine; a book which he has denied as the basis of faith and the anchorage of hope, and yet he now comes before you as a renovated man, and asks you to give implicit credit to his oath. What book has answered the book of Thomas Paine in his mind? What has given him that light by which the errors of the heart and the head have been corrected; no inspired volume has wrought the blessed change; the handcuffs upon his wrists, and the irons on his legs, have been his only tutors; and as he found it necessary to come into Court to be a witness, he found it convenient to profess himself again a Christian! Flimsey pretext—abominable delusion! Incapable of obtaining credit for the smallest assertion such a man should make, but incomparably too insignificant, to induce a Jury of Christians to hesitate for a moment in dismissing from their minds this man, whose statements can only pollute

their ears and corrupt their judgments. Apostacy, odious as it is, does not form the whole odium of this wretch's character; he adds to this, as my learned friend has said, disloyalty to his Sovereign—Treason to his country—treachery to his companions, and he crowns his infamy by a brazen impudence in delivering his evidence. Bring him to the test of his own observations,—I asked him, upon repeated occasions, stating to him what that evidence had been, and stating that, under the correct, I do not say the severe vigilance of my learned friend on the other side, reprehending me very properly when I mistook any thing. I asked, how came you to omit, from your statement the other day, facts so important as many of those you have related to-day. "O why," said he, "I did not think they were of any importance in the cause: the prisoner, about whom these statements are made, was not then upon his trial; my memory did not serve me, and I have a great many other things in my memory that I shall produce against other prisoners. This was his own voluntary statement, and this, Gentlemen, from a man who is sworn to tell, not the truth partially, not the truth as he may conceive it necessary, but to tell the whole truth, and nothing but the truth, and to act upon that, so help him God. If he had never renounced his Redeemer, or blasphemed the book of life, as he has done, does he entitle himself to be believed by you, when he acknowledges that he is ready to put a construction upon that oath, different from that which all men must, and he sets up as an apology that he did not state these things upon the former occasion, because they did not relate to the prisoner upon his trial. Now, Gentlemen, let us try that:—the first addition he makes to his evidence is this—Brunt said he had two men to call upon in Carnaby Market. He asked Mr. Thistlewood whether he would walk with him, which Thistlewood declined, and I went with Brunt and Ings." Does that relate in any manner more to the trial on which he was examined yesterday, than it related to the trial of Thistlewood, on which he was here before? Is his account of his suppressing facts, because they do not relate

to the case true, or is it true that he invents new matter as he thinks the occasion will require? Again, he tells a long story of Ings doing something at a meeting at which Thistlewood was present, and which would have been of the utmost importance on Thistlewood's trial, if true; that Ings pulled a pistol from his pocket and declared what he was ready to do, and went to do, when his Royal Highness the Prince Regent was going to the Parliament House, stating it in the midst of a conference with Thistlewood, who was then on his trial, and yet not one word of that did this fellow state, but he takes three days to invent it against the prisoner now before you, and comes upon his trial when he thinks he can more deeply impress his statements by the help of additional circumstances. We have been asked why we require Juries to disbelieve witnesses, and yet produce no evidence to contradict them. Gentlemen, can we give locality and substance to the fleeting form of a phantom? Can we concentrate and fix the glittering rays reflected from the polished surface of a mirror? Unless we could do these things we cannot apply effectual contradiction on so unstable a witness as Adams; when we think we shall be able to do so, he avoids us, and when we have positive evidence in answer to another whom we expect that witness is kept back from us, although used and mainly relied upon as a supporter of Adams on a former occasion.

Gentlemen, in these respects, has Adams entitled himself to credit at your hands from his own shewing? Unless the experience of a small number of years, compared with the rest of my learned friends at the bar—unless the knowledge I have of juries which those years have given me—unless the observation of thirty-five years, more or less, constantly applied to courts of justice, deceive me, it does not want the feeble exposition I can give to it to make any honest and discreet jury say, on the evidence of this man, we would not hurt a mouse or a beetle; his evidence with us must go for nothing.

But, Gentlemen, I advance this matter a step further: you have seen that he is, in the first place, the narrator of

a most improbable story; you have seen in the next place what character he gives of himself, and how he disentitles himself to your credit; is he to be disbelieved the more because the witnesses for the Crown expressly contradict him in many material points? It is a material point for your consideration in the case that is now before you, what passed in Cato Street at the unfortunate time when Smithers lost his life, and when many other valuable lives were in danger; certainly you will see it is; now is this man supported or contradicted in that?—a person has been brought of the name of Monument, who has been sought as a confirmatory witness; let us see in what does their evidence differ: That there was such a meeting in Cato Street, that there were arms, that there was gunpowder, that there was a man killed, that all those circumstances occurred which every newspaper would have given you, and every newspaper had given you for two full days before Adams was taken into custody; three days before he gave his evidence, all this was known, and about that he would require no confirmation, and certainly receives no support; but is he confirmed, as to his being there, by any witness? In the first place, as to the number of men, he states most distinctly upon his oath, that Thistlewood's declaration was that there were twenty men, eighteen above, and two below stairs; that fourteen would be sufficient to rush into Lord Harrowby's dining room; the number was stated specifically, that six would manage the servants, even if they were sixteen in number. If this passed in a room, fifteen feet long, and ten broad, could Monument have been ignorant of it?—but, on the contrary, on quite another mode of interrogatory, and quite another occasion, although it is in relation to the same fact, and ending in the same way, Monument tells you most distinctly that the number stated was twenty-five then present; that it was needless to count them, for Thistlewood knew there were twenty-five, and that they would be enough to do the business; that must have been the same conversation, only with this difference, that the mind of Adams, if he was there, was engaged in the

introduction of those who were to frustrate their object, while the mind of Monument was engaged on what passed, and he told the truth. He says further, that there was but one candle alight in the place when the officer came in; that when that one candle was put out, the whole place was in darkness. and that he, swears most positively; both the officers swear that there were more, one that there were five candles in the great room, and he should guess by the quantity of light, at least, three in the back room.

Gentlemen, were the words he states, uttered by the officer, or are they a fabrication to answer one purpose if they will not answer another; take those words seriously into your consideration—Adams stated that when the officers came in, they said, "Here is a pretty nest of you, we are officers, and have a warrant to apprehend you, as such, we hope, Gentlemen, you will surrender quietly."—If those words were said, all defence of these men must fail on another indictment, for they would, without doubt, be guilty of murder; but did the officers say so?—both the officers examined to it, most distinctly, honestly, and fairly giving their evidence, state—all that we said was, (for I put down the very words, and they say they were the same in substance,) "We are officers, seize their arms;" no word about a pretty nest; no word about a warrant; no word about yielding, or surrendering; all this is the vile fiction of this wretched witness, who, therefore, on every test he goes through, is unconfirmed, contradicted, and deprived of the very semblance of truth.

Gentlemen, I shall be told, perhaps, it does not apply in the slightest degree to the basis and body of this conspiracy, whether there were three candles or eight candles, or one, and whether there were certain words uttered or not. Gentlemen, perhaps some of you have done your duty either here or elsewhere, on the trial of other criminal cases; you have heard prisoners at the bar call witness after witness, to prove an alibi,; those witnesses have been kept apart by the policy of the law, and after their examination in chief to the principal point, they have

been asked what had you for dinner—what person did you sit next—were there one or more candles on the table—did you get up to help yourself, or was there a footman in livery, or a maid servant, and a discrepancy in the evidence has turned the fate of the prisoner; it would be in vain for counsel to get up and say, my Lord, it does not signify a farthing to the case before a jury, whether they ate roast beef or boiled mutton, or whether they had wax lights or tallow candles, or whether they had a footman or a maid servant, the judge would say, no, Sir, but we must see from the account they give whether the witness can be believed in any other respect; then I apply this to the witness, Adams; supposing there were no objection arising out of his own mouth, when he is contradicted on three points by witnesses called on his own side, is he a man to be believed to hang up men by eleven at a time; when he gives his evidence with improvements from time to time, to carry the inculpation to the prisoners as they proceed in the trials? Gentlemen, I hope a better judgment will prevail, and that my client will have the benefit of that better judgment.

It is said an accomplice ought to be confirmed, I say and I trust I shall have the opinion of his Lordship with me upon that subject, that he ought to be confirmed as far as he can be confirmed, for the very term confirmation implies doubt, and every circumstance by which doubt can be elucidated, is a circumstance by which his evidence can be confirmed; if there is any thing this corrupt and tainted witness knows, it belongs to those who bring such cases forward, to see whether it is or is not within the knowledge of some other who is more fit to be believed—I say this I hope not lightly or rashly, I remember being once told on a prosecution by a learned Judge, for whose judgment I shall ever have the utmost veneration, that the duty of counsel for a prosecution, is as sacred as that of the Judge himself, that if there was any thing within the knowledge of the prosecutor that could elucidate it, ought to be brought forward, for that the life of a man is not a matter merely of forensic trial, the object is not to

get a verdict, but to enable all mankind to do justice, and to see that the ends of public justice are fairly and fully accomplished. If this is true in a private or ordinary prosecution, is it not peculiarly so in this case; yes, Gentlemen, it is, for whether eleven men shall or shall not be consigned to the rope of the hangman and the axe of the executioner, is of the utmost importance to each of these individuals, to them it is as important as if on their breath depended the safety of the empire, for to each man his own life is most dear and most cherished; we cling to life amidst sorrow and sickness, in depression, and even in despair. When hope has fled the love of life remains, and it is for life that the unfortunate man at the bar now appeals to your justice, and to your discernment. But important as the question is to the parties, it ends as to them, with the day of their suffering, but as a public record, as a monument of the times, it remains for ever. This conspiracy is the supposed cloud which has overshadowed the dawn of the new reign, whether it is of that density which is supposed, or whether it could be dissipated by a puff of wind, ought to be the main object of the present prosecutions, and in order to shew that in its real colours, their evidence ought to be resorted to, and none to be kept back. If there is any thing to be gained by these trials it is the strengthening of Government in the confidence of the people, by a knowledge of the danger to which the Government has been exposed, it is the applause of those worthy ministers who have detected and brought to punishment such a conspiracy as this, and it is upon that alone that their hopes of to-day can rest. Your verdict Gentlemen, will decide the fate of that man for the rest, Europe as well as Britain will judge at the present moment, and posterity will judge for ever, if therefore, any means of elucidation are withheld, all the testimony not produced will, in history and politics, be taken against those who keep it back, and thus not only hardship is wrought against the individual, but the very main spring which should animate loyalty and engage our affections in

such a cause as this, will be taken away The cause belongs first, to that unhappy man, who must lay down his life, if you believe the witnesses against him; but it belongs afterwards to you, to me, and to every member of the British community, for our honor is concerned in the honor of our country, and in proportion as that is set high, so shall we rise in the estimation of other nations, and so will our respectability and gratification be increased.

Gentlemen, I have done I hope, except as to one point with the witness Adams, but there is one part of his evidence to which I beg to direct your particular attention, which will shew you that that is particularly true, in one instance, which I impute to him as the governing motive of his whole conduct, that he has charged upon others those crimes and that guilt, of which he is the author, and which, he perhaps alone is capable of forming, he tells you that Brunt professed opinions approaching to atheism, that he said, when he was told that he should have an opportunity of murdering all the ministers at once, that now he believed there was a God, that he had often prayed they might be brought together, and that now God had delivered those persons into their hands. That a man who has read the accursed works of Paine, till he has renounced the faith of Jesus, should use such expressions is probable, but call Brunt a murderer, call him an assassin, call him a traitor, a robber, or what you will, it is not to be credited out of the mouth of such a wretch as Adams, himself an avowed contemner of his Bible and his Redeemer, that he who commits crime in this world cuts himself off from the hope of penitence, and that he has not that which the thief on the cross had, a hope that the penitent acknowledgment of his crime might enable him to enter into a state of mercy. I implore you for charity's sake not to impute this to Brunt, on the testimony of such a wretch, when they might have called Edwards and others to prove it, Edwards, who is stated to have been present at that conversation, but who is not called to confirm this man in that or any other particular.

Gentlemen, there is another point on which you will

consider, whether Adams is to be believed—he swears distinctly, that he never had been at the lodging of a man of the name of Chambers, in a court called Heathcock Court, in the Strand; and that we might be sure that it was not the name of the court that might lead to an equivocation, I took the pains to fix that on him, supposing it is not Heathcock Court, did you go to any such man, and make a proposal to any such man—No, no—no was the regular answer. I have called the man who proved what he said, and what he did, and what he wanted to leave, and I have proved that every thing he said upon that was like that which he has said upon all other points, an effusion of rashness, or a concoction of premeditated falsehood. I saw the scope of the cross examination, and I could not fail to see that Chambers was one of the men whom they call radicals, that he was one of those who had carried forward and assisted at meetings of these people, that he was deeply engaged in the exterior of these proceedings. No man can doubt that he was, for if he had not been something of the kind he would not have been a fit person for Edwards and Adams, to practice upon—if he had not had the discernment and good sense to see through their treacherous designs, he too would have been at the bar as one of this traitorous conspiracy—his mouth would have been shut by his being indicted with the others, he is not a witness I should prefer to call, but he is a witness whom the treachery of Adams has rendered necessary, and you must weigh his evidence against that of Adams—this however, is quite clear, from the cross examination—Chambers was mentioned yesterday, due industry has not been spared in the mean time, all the particulars of his life are well known, and it is not pretended that the height of his crimination goes beyond this, that he was an acquaintance of Thistlewood, and had drunk with him in a public-house, that he was so far transported with the miserable politics infused into the minds of the vulgar, that he carried a flag at the Smithfield meeting, and the triumphal entry of Mr. Hunt. Is he a Deist? Is he a betrayer of his friends? Is he a traitor

to his King, except so far as the circumstance of the Smithfield meeting goes—No, no—no is the answer to all those questions, and his evidence must be confronted with the evidence of a man who is all these. How far such a man ought to be confirmed I will not say, but standing as he does, I will say, that he ought to be dismissed entirely from your consideration in the investigation of this cause. But is there evidence enough without him, for I take this to be a clear proposition, if a witness's credit is doubtful, before he comes into the box, that doubt may be removed by confirmation; but if he has in the box disabled the Jury from believing some material proposition he has stated, he is self convicted of perjury, and the Jury must dismisss his testimony from their recollection, and hold him as no witness at all, and so I contend you must consider Adams. It is not for Juries to sift and garble testimony, they must believe the witnesses on the whole, or they must dismiss them from their consideration altogether—indeed it would be an insult upon your understandings to say, in this matter the man is perjured—in such a matter he is not—we will believe so much—the very word perjured shuts up the leaf of his evidence, it becomes dry and brown, and you read no more, and if therefore you believe, as I contend you must, that this is a false and perjured witness, his evidence goes for nothing, and he is removed entirely from the cause.

Gentlemen, I come now to another witness, or to other witnesses, and let me see how far they confirm Adams as to any thing that is material. Hiden certainly stands in a favorable point of view. In one respect, my learned friend, Mr. Curwood, made a mistake respecting him, that he was a man who received the knowledge of the crime, and afterwards concealed it: he is not such a man; there is this favorable circumstance in the testimony of Hiden, if you believe him, that when a communication was made of a supposed plot, he disclosed that to Lord Harrowby at the first possible opportunity; but, Gentlemen, we are a long way from believing Hiden for that: that Hiden may have had some knowledge of the intended

meeting in Cato Street, and the intention to murder his Majesty's ministers, there is every probability; that he learned that from Wilson is a matter of much more doubt; that he may have derived it from Edwards or from Adams is extremely probable, and extremely consistent with the whole of the story, for, with all the wish in the world, supposing him a conscientious, an honest, and an unprejudiced person to give that man credit for what he said, for God's sake examine whether he is a witness of that untainted kind that ought to make up for the deficiency of testimony in Adams. I asked him where he lived, he told me he lived in Manchester Mews, Manchester Street. I was told afterwards, with some heat, that he had said he had lived there, or that he had been living there, or something of the kind; upon all these subjects you are the arbitrators, and I put it to you whether, until I had pursued my cross-examination to the extent of several questions, if you had been asked, on going out of that box, to say who is the witness Hiden; you would not have answered he is a milk-seller, and lives in Manchester Mews, Manchester Street, would not that have been the impression upon the minds of every one of you? Could you have had any surmise that he had been for several days a prisoner in the Marshalsea Prison, having been translated into the King's Bench for a debt which had been due several months, and for which he had been absconding from Manchester Mews; can you then receive this man as confirmatory of the evidence in general which has been given by Adams?

But I go a step further:—does he by himself, for that is necessary if I am right as it respects this case, does he pretend to know the name of Ings at all? You are trying Ings; I know it is part of the apparatus of the Indictment that, being laid as conspiracy, the acts of one are evidence against the whole, and that therefore this man can come here to hang Ings on declarations of Wilson; but on whom does the evidence of the conspiracy rest? on Adams, and if he were to be taken away, Hiden has no standing ground, nor no place. But put it thus:—here is a man to

whom a communication of an intent to murder His Majesty's ministers is made, and to whom a proposition is made that he shall join in the attempt. He has then, that which my learned friend, the Solicitor General, has much pointed to, a direct interest in the declaration which he makes, because, Gentlemen, without alluding to my Lord Harrowby's personal character, for which I have as much respect and veneration as I ought to have, can any British nobleman be supposed to have received information from an obscure and humble individual, and not to have done that which becomes him. But there is something remaining to be done: Lord Harrowby is too good a man, and too prudent a man to give money to an individual before he has given his evidence, but I need not tell you what a man may expect on such an occasion; why does Mr. Hiden come here to tell you this plan of conspiracy and High Treason, but for that which is to raise him from prison, and put him into affluence, because he has made a disclosure which is to save not only the life of Lord Harrowby, but some of the best blood in the kingdom, and has enabled His Majesty's ministers to detect this dangerous plot. Then this being avowed that he was not one of the persons, it was unequivocally avowed to him, as he states it, what the destination of the whole plan was, and that he was to be engaged to assist in it; but more than that he states this to you, which even if it were taken as true, (and it shews there are proverbially men that ought to have good memories, and it shows the use of examining men separately) he states all the houses which were to be set on fire, and there was not in the midst of it one word about the barracks or any one place except the houses of Lord Harrowby, the Bishop of London, Lord Castlereagh, the Duke of Wellington, and some others which I cannot mention; and then being asked again, he says, "there was no other that I can remember." Then, Gentlemen, do you believe in all this of the firing of the barracks, and all the rest which has been introduced into the cause by Adams: if such a thing had ever been stated, it is quite impossible so material a feature should

have escaped the mind of Hiden. You have no other evidence but that of Adams, with the confirmation of the serjeant who attends at that place, who says that a man who had been in the light-horse might very well know where the stables were, and the evidence given by the artillery-man that balls made of tar and pitch and rosin would set fire to boards, and still more easily to hay and straw: this is important evidence, as well as that of the man who made the discovery how the word *button* was to be spelt. But I beg you to observe this:—this witness is called to swear not to conversations held in the presence of many persons, but to one private conversation with one indicted individual who therefore can neither come forward to confirm or refute him, but who leaves the field free for this witness to walk on.

Now Gentlemen, recollect the account that that man has given of himself—of his purchase of cream, and his declining the engagement, because he was to go and purchase it; and his assigning that as the reason of his expecting you to believe all the rest of his testimony, when he knows not the name of a family he has supplied for three years, and cannot give you any particulars even of the number or situation of the house they inhabit. Gentlemen, such frail memories form very insufficient support to the rhapsodies or nonsense of such persons as Adams. Then comes another witness as confirmatory of this man, Monument, who appears to have been selected only for the penury of his knowledge.—Mr. Edwards was present, and could confirm Adams, if Adams had a word of truth in him; but Monument was selected, because Monument was never present at any of the meetings—he was to be made use of according to circumstances; he was even on the night of the 22d, told to go with them, but not where they were going, and that the whole would be disclosed quite in time when they came there—he is brought here to state that which Lieutenant Fitzclarence, and all the witnesses saw, and not one fact besides. There is no disclosure from any of them in a body, tending at all to confirm this, but private conversations with one individual at a time,

the mouth of which individual, Brunt, is shut up; and another individual, who has already suffered the verdict of a jury, namely, Thistlewood. Gentlemen, is this the way in which a charge ought to be made out, when there are the means in the power of the Crown of elucidating the case:—One of the things this gentleman said in his evidence, on which a little confirmation might have been well bestowed, for he comes as a prisoner in custody, was, that all Gee's Court were to be in it; and there the question is asked of him, who do you understand principally are the inhabitants of Gee's Court—" Irishmen, and they have said they have been deceived by the Englishmen so often, that they would not concur in it unless the English began."—Is there not a witness in the list of the Crown, who lives in Gee's Court, who knew Gee's Court, who knew the persons it contained, and whom they do not bring forward—it is abandoned in the very presenting it, and they dare not tender the confirmation—he might have told whether Gee's Court contains five, or twenty-five Irishmen—the Crown knew whether or not they had a witness to prove that—it may be known elsewhere, perhaps; but no such witness has been produced, they dare not call a witness to confirm that man, and in so doing, they give him up as not to be believed—he swears to conversations, about which he has no support, where he might have been supported if his evidence were true; but he is not supported. It was pressed upon him by my learned friend, " Why did not you at Cato Street, if you had no stomach for this fight, depart, when the tall man was told he was at liberty to go?" Oh, I did not understand that that information applied to me; I thought that was only the tall man that might depart and not me, a remarkably little man, and therefoie I staid behind. I was too valuable to be parted with—such a witness stamps his own evidence—that shows how embarrassed he is (though so fluent in the examination in chief), when he comes to give his evidence on those questions for which he has not prepared himself by antecedent rehearsal; and this shews what credit you ought to give to such witnesses.

Now Gentlemen, I must beg your attention under those circumstances, and under the direction of my Lord, to what the charge upon the indictment is, and to the manner in which it is to be proved. I shall suppose for the purpose of my present argument, that your attention will be principally directed to the third and fourth counts of the indictment, the first of which is under the statute of 36th Geo. III. cap. 7, and which declares it shall be High Treason to conspire to levy war against the King, for the purpose, observe, of making him change his government, or alter his measures, or for the purpose of subverting the constitution, and so on. But it is laid to be a conspiracy to levy war against the King, in order by force and constraint, to compel him to change his measures. I ask you Gentlemen, except in the rash and idle nonsense which Adams has talked to you, is there the slightest tittle of evidence of any intention to force or constrain the King to do any thing? Is there the slightest evidence of intention to depose the King? Is there any evidence of intention to subvert the constitution of the country, by means of levying war, or to deprive and depose the King, as charged in the first count. The second count charges, that they conspired to excite insurrection within the realm, and subvert and alter the legislative rule, and government, and to bring and put the King to death. The third charges a conspiracy to levy war against the King. All these are laid as conspiracies, not as acts, in order by force and constraint, to compel the King to change his measures and his counsels. Gentlemen, the fourth count charges the prisoner with levying war with intent to subvert and destroy the constitution and government of this realm, as by law established, and to deprive and depose the King of the crown.

Gentlemen, upon these first three, you will observe, the charge is a conspiracy entirely and altogether, and that conspiracy would not be High Treason unless it were coupled with the intention assigned, as the motive of the conspiracy; and to conspire to commit any one of those acts, by the ancient laws of the land, as stated by my

learned friend, Mr. Curwood, was not High Treason. Now, Gentlemen, you are to satisfy yourselves whether there is any man, in the whole course of this evidence, who deposes to any such intention as that of deposing or removing the King, except this witness, Adams, whom I contend you are to put out of your recollection; or are there any two men who swear to any overt act or acts (even giving him as one) combined and accompanied by that intention, for the overt acts do not prove the intention; there must be something else from which to collect the intention. Now, I am bound to say that the only overt acts which can be proved as forming any point on which those who charge the prisoner with Treason can rely, are those which took place in the meetings at Cato Street. The consultations are entirely in the mouth of Adams, and there is no other person proves any other Treason. The meeting in Cato Street is proved by several persons, but no person connects it with any such intention; but on the contrary, their conduct rebuts such an intention. They were to meet to carry their conspiracy into effect by deposing the King, and seizing the government into their own hands. What were the means they had prepared? a certain number of arms, barely sufficient for an expedition on the highway, applicable to another intention which is disclosed, but not that which is alleged in the indictment: they are to carry that intention into effect by seizing cannon, eight in number—by conveying them without horses—by acting with them without any ammunition—by attacking the Mansion House, and, in order to make this formidable attack on the Mansion House, they place themselves at the greatest possible distance; in order to seize cannon in Gray's-Inn Lane, they remove from Brook's Market, in the very neighbourhood, to the very farthest extremity of London, and having performed what they call the West End Job, they are to transport themselves to the Mansion House, a distance of nearly four, or as they were to proceed of five miles; two miles and a half before they can seize the first of those cannon, another mile and a half before they got the rest of these

self-moving cannon, and another mile before they place them north and south, to attack the palace of the chief magistrate of the city, they are to make the cannon follow them as tamely as animals wanting their daily repast follow their keepers; and to do it with the more facility, they place themselves at the greatest possible distance from the scene of action.

Gentlemen, there is one part of this case upon which I shall have to address you by-and-by, in inquiring whether their situation was well selected for that, but for all other purposes; it is absurd to imagine they should have chosen to go to such a place without the means of effecting the end, without any thing that could contribute to success. Now, is there the least evidence or pretence of evidence of this? What says the witness? there were supposed to be twenty men, ten to seize the cannon, ten to light the town, and then they were to be joined by other parties: let us see how that was; the ammunition seized in Cato Street you have all seen; separate that from any other real or supposed ammunition,—is there, I say, the least evidence that any ammunition fit for artillery, even supposing there had been artillery, had ever been carried out, or intended to be used for such a purpose?—have you any evidence that that was disclosed to any body?—no, not the least; and if these men, one by-the-by encumbered with two heavy heads in a bag, had sallied forth, they would have gone to places where they had no artillery, and where they had no support; and this is the overt act charged to induce you to convict them of High Treason. Gentlemen, if I were to hear to-day of a conspiracy from without, to liberate all the individuals in that gaol by throwing cherry stones and carraway seeds, I should think that more likely to be true than this; for my imagination does not go to the extent of believing there can be truth in that which you have heard, I will not say solemnly, but most flippantly sworn to.

Gentlemen, is there any evidence of a levying war against the King? the transaction in Cato Street, I say, did not amount to a levying of war. If they had met in

Cato Street and murdered all His Majesty's ministers, that would have been a most horrible and un-English assassination, but it is not High Treason; it is no more High Treason to murder all the ministers than it was to murder one of the most amiable and honourable men who has existed in our times, I mean the late Mr. Perceval, and for which I saw the assassin stand at that bar, and heard his trial, not for High Treason, but for murder; and, with the affecting circumstance which I shall never forget that I saw the venerable Sir James Mansfield summing up the evidence with tears of regret streaming down his aged cheeks, for an individual whom he had always loved, and whom all who knew reverenced. If any aggravation could have made such a crime High Treason, that assassination presented the aggravation; but the murder of one, or of many, never did, nor never can amount to High Treason. Supposing they had gone further, and seized the cannon in Gray's-Inn Lane, and the Artillery Ground, that would not have been a levying of war against the King, for the cannon are not the King's; those at Gray's-Inn Lane belong to the Body of Light Horse Volunteers, those in the Artillery Ground to a private company, the seizing of those is a felony, but not Treason; nor is the Mansion House one of the King's palaces, it is the official residence of the Lord Mayor; nor is the Bank the Kings, it is the house of a chartered company, so that unless you believe the absurdity of installing a provisional government of whom nobody knows any thing; the narrative taken altogether, falls short of a levying of war to bring it within the description of the 36th of the late King.—Gentlemen, I shall not dwell upon this point, I have made my observation upon the law; I have no doubt it will be met with all the confidence of triumph from what I see on the other side.—I suppose it is considered that it will not bear discussion for a single moment, I am not the oracle of the law—you will hear whether it is law or not from my Lord; if he declares it to be within the law, you will then consider whether you are satisfied by the evidence of two credible witnesses, that such intentions

were entertained, and that such overt acts were committed, or whether two overt acts have been proved by two competent witnesses; if you shall be of that opinion of course you will find the prisoner guilty; but if you are not of that opinion, I am sure nothing which you read in publications, before you knew you were to sit in that box —nothing of the feelings of loyalty which yourselves and I alike entertain, nothing of your feelings of desire for the preservation of those who hold high offices, which no man can feel more warmly than the humble individual who now addresses you; nothing of your fears for your personal safety; none of those considerations and still less any event that may have taken place in this Court within these few days will sway you from a right consideration of the evidence; but you will proceed upon that according to the fair impression it shall make upon your minds, all these acts, and even these acts carried further—the conflagation of buildings; the plunder of individuals; the levy of money by irresistible applications at the door of every house-keeper, do not amount to High Treason.—Looking at you, Gentlemen, I think some of you are of an age to recollect that, which I recollect when young; when blood flowing like water, the conflagation of houses, and the blazing of prisons, appalled and astonished all mankind; when the civil arm was restrained by terror; when the military arm was not used for other reasons, till the intrepid mind of the then Solicitor General set them in motion, when the persons who had thus acted were secured, they were not indicted for High Treason, but for the simple felonies they had committed, for murder, for arson, or for larceny; but not one of those who were immediate actors in that scene was brought to trial for Treason; the instigator and prime mover, indeed, was tried for High Treason, and it was decided that he was not guilty of High Treason, for that he had not levied war against the king. It may be said that the statute of the 36th Geo. III. had not then passed, but still I contend that if all the acts these prisoners had conspired to do had been full and perfect, and completed, except the

introduction of a new government, under the name of a provisional government, if all the bloodshed had taken place, and all the conflagration which they are said to have meditated had been effected, still, under the authority of those cases, I say their crime would not have amounted to High Treason, so as to substantiate the charge in the fourth count, that of levying war againt the king.

Now, Gentlemen, supposing after all I have combated successfully the relevancy of the evidence, and the sufficiency of it, still there is much for me to account for. Can I say that my clients are men free from all guilt? God forbid that I should stand before you to say so. Shall I apologize for their guilt? certainly I will not; but I am only anxious that it should receive its right character. Are they guilty of having intended to murder His Majesty's ministers, I cannot shut my eyes against the force of conviction that they are. Are they guilty of having pursued schemes of murder or plunder in different parts of the town, the fire-balls which have been brought would confute me upon that, if I attempted to deny it. Was there a personal vengeance against His Majesty's ministers? Did poverty render men desperate, and impel them to crime? I cannot deny it, and for that crime they will have to answer: but that these eleven men, aided by nine others, sought to overturn the state, that they had their confidences to impart, and their associates to seek at the very moment when this plot was to explode, is so absurd, that I do not hesitate to pronounce it incredible and impossible.

Gentlemen, it cannot be forgotten that this proceeding hangs mainly, if not almost entirely, on Thistlewood. It cannot be forgotten how lately he had been emancipated from imprisonment for sending a challenge to Lord Sidmouth, which his Lordship did not accept, but very properly presented him for punishment. It is natural that resentment should rankle in his mind; he took advantage of the transactions at Manchester, and the thanks recommended by ministers to the persons who had taken a part in them; he imparted to others the feelings by which he

was impelled, and they, from various causes, co-operated with him; but to suppose that an idea of a provisional government, or of a revolution in the state, entered their minds, would be to say that all their plans were reduced to mere folly, folly more gross than that of ignorance made drunk.

Gentlemen, I am now nearly at the close of the address which it is my duty to make. It has been stated to you, and it will be stated again, I hope, twice. I hope the Attorney General, and my Lord, if I may be so presumptuous as to anticipate what either of them may say, will tell you that this is a cause of great importance. Gentlemen, indeed, and indeed it is, not so much for the life which your verdict may take away, as for the principle which your verdict may contribute to establish. It never happened yet that liberty or justice should receive a wound through an attack made on a good man; for on behalf of a good man all mankind arm themselves in their prejudices, and in their hopes; but the attack has always been made through the means of a bad man, and good men have afterwards been sacrificed by force of the precedent; so it is in the present day. If such a witness as Adams can gain credit for that he has deposed, the revolution of this country, I know, will prevent our seeing Jefferies on the bench, but we shall have Titus Oates in the witness box, and audacious witnesses like him, denouncing one plot after another; he first swore to the popish plot, and that was so popular that juries gave a ready ear to it, just as honest men would give an ear to a tale beginning in the murder of the most honourable and respectable men, and ending in the overthrow of the state; after the story had been told again and again, after the populace had, with shouts and acclamations, attended the convicts to the scaffold, reason resumed her empire, doubt intruded itself into the public mind, and they who at first triumphed in the overthrow of supposed traitors, came to so sad a feeling of repentance, that when Lord Stafford's blood was to be shed on the same evidence, for the same plot, when he turned round and protested his

innocence, the answer of the sobbing crowd was, "God bless you, my Lord, we believe you;" then it was that they felt that justice was misled by the credit given to the testimony of such a wretch; but it could not be got rid of till the revolution had introduced a better system; then indeed it was expiated by the conviction of the perjured witness, by his enduring the pains and indignities of imprisonment, the pillory, and the loss of his ears, and he ended his odious life in poverty and in exile. Alas! Gentlemen, one drop of the blood he had shed could not be reinstated, one hour of the life he had destroyed could not be restored; the regrets of his own times and of posterity for his victims were alike without avail; but the sight of his triumph, while his villanies were successful, was a perpetual gall to every man who loved freedom, and venerated justice, who loved his neighbour and feared his God, as you do. Gentlemen, I exhort, I implore you to look with scrupulous exactness to the witness Adams, to a spy set on by an informer; return the verdict to which your consciences impels you, but for God's sake do not allow yourselves to be swayed by the evidence of a man so infamous, so detestable, so incredible.

Lord Chief Justice Dallas. James Ings, do you wish to leave your defence upon the observations of your counsel, or do you wish to say any thing for yourself?

Ings. I wish to state the particulars how I became acquainted with the party in the first place.

Lord Chief Justice Dallas. Any thing, and every thing which you wish to state of course the Court and Jury will hear; now, therefore, is the time for you to state them, speak loud and we will attend to what you say—You had better consult with your counsel, perhaps?

Ings. I have but a little to say, my Lord.

Lord Chief Justice Dallas. Having drawn your attention to whether you will consult with your counsel or not, of course you will judge for yourself, and the Court will hear any thing you have to say.

Ings. I would wish to speak to the Gentlemen of the Jury.—

Gentlemen of the Jury, I am a man of no education, I hope you will excuse my humble abilities; I will explain the particulars as far as is in my power. I left Portsea the beginning of May, 1819; I came to London, me and my wife and family. The reason I left Portsea was I had nothing to do, nor any prospect of getting any employ for the support of my family; when I came to London I thought I should get employment; I had been in London some time—I was disappointed, I could get nothing to do—knowing nobody here that was the reason. I inquired and used every means I was master of; I had a few pounds by me when I came from Portsea; I found the money was going very fast, and I did not know what to do. I had been in business, and had lost my money, not by drinking or gambling, nothing of the sort, Gentlemen;—I could not get any thing to do, and I told my wife I thought I had better go into business, with the little money I had. I went up into Baker's Row, and took a little shop, and carried on business from Midsummer to Michaelmas. The summer being very hot, was very much against me; I lost a considerable deal of money in the course of the summer—I could not get any custom—I found my money was very near gone. I went at Michaelmas and took a house in Old Montague Street, and turned it into a coffee shop and eating house; and having done that my money was all gone. It did not turn out to my desire; I did not make money enough to keep my family. I persuaded my wife to return to Portsmouth, because she would then be among her friends, and that she had better be there without money than in London.

After my wife had left me some considerable time, Gentlemen, there was a man used to come and take a cup of coffee frequently; he used to enter into politics about the government—he used to enter into the Manchester massacre, and so on. I did not enter into conversation with him; I supposed him to be an officer. I was after that in Smithfield Market, looking around to see whether I could get

employ, having no money, and I met this man. He asked me how I was, and whether I would have any thing to drink.—No, I told him, I did not drink in the morning. He says, "You ought to stand treat, I have been at your house frequently, and never caught you out of doors before." "It is not in my power," says I, "or I would." He asked me the reason I would not stand treat, I said I had got no money, and if I did not get some work, I must sell my few things very shortly. "What have you to sell?"—"A sofa bedstead, and various articles." "I should like to buy the bedstead, if it will suit me: what is it stuffed with?"—"Horse hair?" I took him to my lodgings in Primrose Street; it did not suit him. This was about the first or second of January.

In a few days I met the same person in Fleet Market; he accosted me there again in the same way, and asked me whether I would have any thing to drink—I answered him as usual; he said respecting that sofa, "I believe I have got a friend who will buy it of you if you have not sold it." I said I had not. He said, "My friend will give you more than any one else." He took me to his friend, and I showed him the sofa, and his friend would not buy it. We came back into Fleet Street, and I went along with him, and had some bread and cheese, and beer. He told me there was something about to be done, would I make one. I asked him what; he said, "No good man wants to know until it is begun; but there is something to be done." We went and had some bread and cheese, and beer together; then he introduced me at the White Hart to two or three of my fellow prisoners. I asked him what his name was, he said it was Williams, but his name is Edwards. He told me he had made the image of Thomas Paine, at the Temple of Reason, at Mr. Carlile's, and I understand the same man did make it; so that I am not deceived in the man. He introduced me at the White Hart, to take some refreshment with them, but I never knew the business; I had been in the room, but nothing passed about it at the time when I was there, nor did I know the particulars of any thing, because they did not wish to trust me as a stranger. On that very day when we

had the bread and cheese, and beer, I went and carried a sword to be ground for him. I left it in my own name; if I had thought there was any thing of this kind going on, do you think I should have left the sword in my own name at the cutler's? Is that reasonable to be supposed? I had no idea when I carried that sword to be ground, that there was any thing of this kind going on, you may depend upon it. I met him afterwards frequently; I was very short of food, that was the reason I kept them company. I used to get victuals and drink at this room whenever I went; there was a fire, and the weather being so cold, I was glad to go— the man where I was, did not charge me for my lodgings at No. 20, in Primrose Street.

On the 23rd, I believe it was, Gentlemen, he comes to my lodgings; he did not find me at my lodgings, I had been at the coffee shop, to get a cup of coffee; I met him in Bishopsgate Street; he says, "I believe there is something going to be done, if you will come up to my house." He did not say where he lived, but "come up to the alley opposite Mrs. Carliles; I shall be there at six o'clock." I went from there up to the room; I was there up in the room, and got some bread and cheese, and beer, in the course of the day. At six o'clock I went to the alley; he was standing waiting for me there, but I understand he lives up at a side-door somewhere in the alley, by what I have been told in the list of witnesses. I went with him, and he gave me a couple of bags, a belt, and that knife-case, and we came to the room in Fox Court, which has been mentioned, Gentlemen; and he and I went away together from there; and he told me the bags were wanted to put some gin in;— that the gin was to be got sly. The reason I put them under my coat was, that the patroles should not see them, for if they happened to see the bags under my coat, it would be discovered, where he got the gin. I went up, up against St. Giles's church:—he went where he was to get that said gin. He told me it was not there, but was gone up; accordingly we went up Oxford Street, and he turned out at the left hand, and told me to wait. I believe, I waited

nearly an hour in Oxford Street for him that very night; he came back to me, and took me to a place I forget the name of the street—I never was there before in my life—John Street, where the arms were taken; I had never been there before. He told me he was going to call upon a friend, and said "Do you stop here, you will see some friends of mine directly." I came under where the archway is, Gentlemen, and I saw Davidson; Davidson took me into the stable, and he went up the ladder, and I staid down in the stable; I heard great confusion up in the loft; I never was in the loft at all, I declare before God that I never was, and I stood listening at the ladder. I had been in the stable about five minutes before the officers came in; there was only me in the stable when the officers came in with Mr. Ruthven, I believe that is the gentleman; there were several came in, and I jumped on one side up in the stall. There were two went up into the loft, and the third that came in collared me, and said, "You are my prisoner." "Very well," says I," and as soon as he collared me, he began beating me with a staff, till my head was swelled tremendously on one side. I heard the report of a gun or a pistol, and the officer left me. I ran out into the street, and they ran after me, and hallood, "Stop." I met a man in the street with a stick, he hit me violently over the head; he was coming towards me, and I towards him. I got round that man, and a watchman came and hit me with his stick; I was taken prisoner, and taken to the watchhouse.

Gentlemen, this man Edwards, has been at all the meetings, he has planned and done every thing whatever that was to be done, and he is not brought forward; he is put into the list as a witness, and I am sold as a bullock that is driven into Smithfield market, depend upon it, Gentlemen, I am sold like a bullock driven into Smithfield market. The Attorney General knows the man, and he knew all the plans and every thing, for two months before I was acquainted with it. I heard a gentleman when I was up before Lord Sidmouth say, when they came out to look at us, Lord Sidmouth knew of this a month or five weeks ago; that was when I was apprehended and taken before the council. I

consider myself murdered, Gentlemen, if this man is not brought forward—he is put on one side. I am ready and willing to die directly, if he will die on the scaffold with me. He was the inventor of the plot, if it is a plot, and he has known all about it. I do not value my life, if I cannot get a living for my family; I have got a wife and four small children; but I was drawn in this kind of way when I had no victuals and no drink. My anxiety about my wife and family I cannot describe to you, and I hope before you return your verdict upon me, that if you think me guilty you will have this man brought forward, or else I shall consider myself a murdered man. Edwards was the man that came to my house, and got acquainted with me. I was not at any meetings; I have been accused of being at a public-house, but I never was, only since January, at a public-house in Brooks's Market—I never was at any other meetings —I never attended meetings in my life, till since Christmas:—Gentlemen, I never was at none of the radical meetings in London, not during the time I was here; I hope you will weigh it well in your minds, Gentlemen, before you return a verdict. The people you have had before you are people engaged in this plan, and if they can get out of the halter themselves, they would hang their God—I really believe, Gentlemen, that man Adams would, but sooner than I would be the instigation of hanging a man; I would die, if I had five hundred lives, yes, Gentlemen, that I would.

Lord Chief Justice Dallas. Is there any thing more you wish to say?

Ings. I have nothing more particular to say, my Lord—yes, Gentlemen, I forgot one thing; if you will examine that, that will prove my character from my childhood;—there is my character down there from my childhood.—*(Handing in a paper.)*

Lord Chief Justice Dallas. We cannot receive that; witnesses to character must give their evidence upon oath.

REPLY.

Mr. ATTORNEY GENERAL.

May it please your Lordship,

Gentlemen of the Jury,

The case being now closed in evidence and in observation on the part of the prisoner, it becomes my painful and anxious duty to address you, and in doing so, I do assure you, that as is my most earnest desire, so it shall be my endeavour to lead your minds fairly and calmly to the conclusion, which not in my judgment, but in your own, you ought to arrive at upon this question; and although I cannot but regret that in so doing, I shall have to ask a continuance of the patient attention which you have hitherto paid to this inquiry—an inquiry of infinite importance, both as it regards the individual before you, and as it respects the public, I feel happy that the opportunity is now arrived, that will enable me to remove prejudices which have been attempted to be excited by the learned counsel, who have addressed you on the part of the prisoner, as to the nature and still more as to the conduct of this prosecution.

Gentlemen, it has been insinuated, nay, it has been stated in terms, that the result of this trial is intended to have the effect of extending the law of Treason, and through the medium of your verdict against an unfortunate, and according to the epithet of one of my learned friends, a wicked man, of creating a precedent to enable future governments and persons hereafter—holding the high rank and situation which my honorable and learned friend and myself have the honor of filling, to enlarge the power of the crown, and sacrifice the liberty of the subject. Gentlemen, what there has been in the course of this investigation—what there is in the nature of this case—what there is in the conduct of my learned friend or myself, to

call for such observations, I am at a loss to imagine; but sure I am if I know myself and my honorable and learned friend, that our only anxiety on the present occasion is, that by the due administration of the justice of the country, and by that alone, the guilt or innocence of the prisoner at the bar shall be established.

Gentlemen, the law of Treason is definite and clear; but my learned friend, who first addressed you, will give me leave to state, that he misapprehends the law as it now stands, when he tells you that an attempt has been made by the statute introduced in the late reign, to extend the law of Treason, or to introduce that which he characterizes as contructive Treason. He is too good a lawyer, at least I give him credit for being such, not to know that that statute has not extended the law of Treason; that it has done no more than make those acts, which before its existence had been determined by the highest authority, and by the sages of the law, to be overt acts of Treason, under the statute of Edward III, substantive and distinct treasons in themselves; but my learned friend knowing this has endeavoured to prevail upon you, to believe, (although I am satisfied he will have attempted it ineffectually, because any erroneous impression made by his address, will be completely removed, when in the last stage of this proceeding you shall have heard the law laid down to you by the high authority, which to-day presides,) my learned friend I say has attempted to persuade you, that not only the late statute had in view the introduction of uncertainty and speculation in the law of Treason; but that the object of this prosecution also, is to endeavour to establish a precedent of contructive Treason.

Gentlemen, there is no foundation either in law or in fact for such insinuations and such assertions; there can be no other motive operating upon the present occasion, than that impartial justice shall be done; if the conduct of the prisoner at the bar, and those who are implicated with him in this charge be, as is admitted by both the learned counsel, of the most wicked description, involving them in crimes at which our nature shudders—crimes by the com-

mission of which according to the concessions of their own advocates, the lives of these men have probably become forfeited: let me ask you Gentlemen, as reasonable men, what inducement, what interest, what motive can there be on the part of the crown, to attempt to bring home to them a charge of a higher description, unless it be the firm conviction which operates upon my mind, and which I am afraid must, in the conclusion of this case, operate upon your minds, that a crime of greater magnitude has been committed.

Gentlemen, my learned friends on the part of the prisoner, have acted rightly in calling your attention to the specific charge you are to try. God forbid that any other consideration should enter into your minds, when you come to draw your conclusion upon the evidence, than whether that charge and that charge alone has been made out: whatever other guilt the prisoner has incurred—whatever delinquencies he may have committed, discharge them from your recollection, keep your minds steadily intent upon the accusation now made against him, and fairly, calmly, and dispassionately weigh the evidence which has been adduced in support of it. I beseech you to do this, and I ask of you to do no more. After an impartial view of the case, pronounce that verdict, which your consciences alone shall dictate and approve: if it shall lead to a verdict of acquittal, you will gladly relieve the prisoner at the bar from the weighty charge made against him; if on the other hand, you are satisfied that the charge is proved, let no consideration of the consequences of your decision operate upon you; look steadily at the only question into which you have taken a solemn oath to enquire; and fear not from any thing which has been advanced to you by the counsel for the prisoner, to pronounce a verdict of—Guilty.

Gentlemen, my learned friend the Solicitor General, when he opened the case to you, stated very shortly the charge made by this indictment, conceiving, and I think rightly, that with respect to the law of the case, there was neither difficulty nor doubt. He said he would

relieve your minds from all technicalities; he told you that which I take the liberty of repeating to you now with perfect confidence, that if you are satisfied the prisoner harboured an intention of attempting to overset the existing government, (whether that design could or could not be accomplished—whether the means used were adequate to the end or not,) and if he acted upon that intention, he is guilty of the crime imputed to him by this indictment. It is not necessary in the law of Treason, that the crime should be consummated, by the perpetration of the act in contemplation; and for the plainest of all possible reasons; if such necessity existed, no man could ever be tried for High Treason; if the acts meditated must be executed before the crime is completed, it must be ascertained whether the government is overturned or not, before a man could be called upon to answer to the charge. Without, therefore, troubling you either with the ancient statute of 25 Edward III. or the more recent act of the 36th of his late Majesty, I beg you to keep your attention closely directed to the facts; ask yourselves this question: did the plot exist? And was the prisoner at the bar a participator in that plot? If you find that the evidence compels you to answer in the affirmative, it then, Gentlemen, will be your bounden duty to find him Guilty of the charge.

Gentlemen, much has been said upon the testimony of the first witness, Adams, indeed almost the whole of the very able and eloquent address you last heard has been pointed at it, and some complaint has been made of the manner in which my learned friend, the Solicitor General, in opening this case, stated to you that his testimony should be examined. My learned friend told you that Adams was an auxiliary in the scheme; he recommended to you, in weighing his evidence, to consider the interest, or supposed interest, he might have in the result of this prosecution; you were requested to see whether he was contradicted upon any material points, and lastly, he begged you to give your best attention to the confirmation of his narrative, which would be produced to you. Gen-

tlemen, I still say, these are the tests to be applied to that man's testimony, and I very much mistake, if on the review which I shall feel it necessary to take of his evidence, and when I come to point out to you the parts in which he is confirmed, any man can doubt the truth of the story which Adams has told.

Gentlemen, the first question my learned friend on the other side has asked, is, does he entitle himself to credit by the manner in which he gave his testimony? and here he very naturally introduced an answer which Adams gave upon his cross-examination with respect to his former life. Undoubtedly, Gentlemen, a very melancholy fact he did admit to you, that during a portion of his life he had been misled by those doctrines which of late have been so industriously propagated, and which I cannot but fear have been circulated principally with a view to lead to these destructive plans and schemes in which we charge that the prisoner at the bar has been involved. It is the object of men, who have Sedition and Treason in prospect, to endeavour first to undermine the religious faith of those whom they may wish to make their associates in their crimes. Gentlemen, he has confessed to you that, by having had in his possession Paine's Works, he did for a time become an infidel with respect to the Christian religion, but he never gave up his belief in a God: he owns to you that he had abandoned his belief in that Sacred Volume which is our guide and consolation here, and the sure foundation of our hope hereafter; but he tells you though he had for a time been so deluded, he has returned again to that belief in which he was born and educated. Gentlemen, he is not a solitary instance of such a return under circumstances of affliction: another occurs to my mind which has happened only within these few days, and of which I dare say you are all apprized. I allude to the unfortunate Magennis at this time under sentence of death for an attempt to assassinate a constable: after his conviction, and when he came to examine his own mind, and to reflect on the situation in which he stood, and the life he had led, that man, Gentlemen, in the moments of

sorrow, was satisfied that he had been deceived by those who had undermined his faith, and he again embraced the religion he had abandoned. And in considering the conduct of Adams, I think it not at all impossible that his providential escape from Cato Street may have led to that reformation which, I trust, is complete.' You have been desired to attend to the manner in which he gave his testimony. I request you to do the same. It has been said that on some former occasion on which Adams was a witness, but of which you are bound to take no notice, he did not give precisely the same account of minute circumstances as he has on the present trial; that is to my mind the strongest proof of the truth of his story,—you are men of the world and men of experience; is there any thing more suspicious than when a man has given a long narrative containing various circumstances, accounts of various meetings and consultations, that he should, upon a second examination, repeat minutely the testimony he had previously given in the same words, and without variation or alteration?—I say such conduct, to my mind, would be the strongest proof that the witness told a fabricated and a false story. But when his attention is on a second occasion called to other circumstances, and to other persons, that he should remember other occurrences which he had not previously detailed, is not only most natural, but a proof that he comes as the witness of truth: he gave you the fairest account possible; when questioned as to several facts he has now introduced affecting the prisoner at the bar; he said, when I was before here, this man was not on his trial, and I was not then so particularly examined as to the share he had in the transaction; but now that my recollection is awakened, I am enabled to state circumstances that did not then occur to me. But, says my learned friend, he now omits many facts which, upon a former occasion, he gave in evidence; in my opinion such omissions are so far from detracting from his testimony, that they add a weight to it. He narrated the events as they arose in his memory at the time, not from a story learnt by rote, and as a child would repeat his lesson. As

men of the world, and as men of experience in these matters, I am satisfied you will consider that the evidence of Adams is confirmed, and his credit established by the very circumstances upon which my learned friend founds his objections to its truth. I wish, Gentlemen, to examine all the objections which are made to the testimony of this witness, before I draw your attention to those strong confirmations which have been very properly passed over by my learned friends who are advocates for the prisoner, it being their duty to present the case to you in the most favorable view for their client. It is said there are contradictions of him by the other witnesses, and I think those first relied on are as to the number of persons in Cato Street; and it is asserted that Adams is at variance with Monument. Gentlemen, let me call your recollection to what passed there with respect to the tardy appearance of Tidd, the man whom Monument accompanied, and who you will recollect was almost the last person who arrived on that evening. Considerable agitation had been exhibited by the party, in consequence of his not coming at the period at which he was expected; Adams was there long before. Adams tells you that at one period, when the matter was talked of, Thistlewood said there were eighteen in the room above, and two below, making twenty. Now what is the account given by Monument?—that after his arrival with Tidd, and just before they were about to leave the stable, and when some conversation took place respecting numbers, it was stated, I think he says, by Thistlewood, that there were then five and twenty. Gentlemen, there would be no material inconsistency in these accounts even supposing the fact to which the witnesses are speaking to have taken place at the same time. You have often heard, indeed it is a trite observation, that where witnesses are speaking to the same occurrence, it is the best test of the truth of the story they relate that they do not exactly accord in all the circumstances attending it, but that there are some slight variations between them. I say that even if these men were speaking of the same transaction, you have this fact confirmed instead of being contradicted,

namely, that at one period of the evening there was a desire to ascertain the number of the men assembled. Monument, therefore, at all events confirms Adams as to ascertaining their number, and they differ only as to the number when ascertained.

But then you are told there is another contradiction; that Adams differs from the officers, as to the number of candles that were in the room, that he says there was one or two in the first room; the officers on the contrary that there were three or four, and that it appeared to them there were some in the side room from the shades thrown by the persons entering it; and lastly, you are asked to refuse your belief to the account he has given, because he differs as to the expressions used by the officers from their recollection of them. Gentlemen, turn to the minutes you have taken of the testimony given by the officers, and if my learned friend is entitled to argue that Adams's evidence is proved to be untrue by that testimony, I will show you that by the same test it can be demonstrated that the evidence of the officers is not correct. Ruthven saw but one man when he entered the stable; Ellis and another speak to seeing two. It might be said, Ruthven does not speak the truth, and if my learned friend's mode of reasoning is to be generally applied, you might altogether discard the unimpeached testimony of the officers. Gentlemen, there is another point in which Adams is confirmed by some of the officers, and is unconfirmed by others. Adams states that when the officers were approaching the ladder he heard a voice exclaiming, "Holloa shew a light above." Ruthven stated that when he went up the ladder he never heard such an expression. I am not sure whether Ellis stated that he did not hear it, but when you come to the evidence of Westcoatt, he proves there was such an expression. Adams says the officers exclaimed, "here is a pretty nest of you, give up your arms," and the officers say that they cried out "We are officers, give up your arms," if this discrepancy can destroy the testimony of Adams, it will destroy that of the

officers, upon whom the counsel for the prisoner have not cast the slightest imputation.

Gentlemen, these are all the contradictions which have been relied upon by my learned friend on the other side, and I hope you will agree with me that the observations in answer are satisfactory. But then he says there is not sufficient confirmation in this case, and that all the confirmation of the witness Adams, which ought to be given, has not been adduced. Gentlemen, I will venture to assert, and I think you will agree with me, that there hardly ever was a witness confirmed as he has been in such a variety of points, and points too so material to the enquiry. It is said by the counsel for the prisoner, (we shall see with what truth) it is true that Adams is confirmed in many particulars, but as to the intention and the plan of the parties, the corroboration of his evidence altogether fails; and yet Gentlemen this is urged to you by advocates who admit broadly, plainly, and unequivocally, that the plan upon this occasion was to assassinate His Majesty's ministers. How do they get at that plan? on what evidence is it that my learned friends make this admission? They make it upon the testimony of Adams; upon the testimony of Adams confirmed indeed by the occurrences in Cato Street, and the evidence of other persons to which I shall call your attention hereafter.

Gentlemen, let us try the hypothesis submitted on the part of the prosecution. We say there was a deliberate plan formed by the prisoners Ings, Thistlewood, and their associates, to overturn the Government,—that the first blow to be struck to carry that plan into effect was the assassination of His Majesty's ministers, in Grosvenor Square, on the night of the 23d of February, and that that blow was to be followed up by movements in various parts of the town. The proposition of the other side is, that the plot was certainly to assassinate His Majesty's ministers, but that it was to begin and end there, and that no proof arises out of the testimony of Adams, none out of the evidence of Hiden, none out of the account given by

Monument, none from a variety of facts established, and which cannot be controverted, that there was any design contemplated by the conspirators beyond the destruction of the illustrious persons assembled as guests at the table of Lord Harrowby, and the conflagration and consequent plunder of a part of the town.

To prove the case for the prosecution, one of the conspirators himself is called—Gentlemen I beg leave to add my humble recommendation to that of the Solicitor General, as to the caution and attention with which you should examine such testimony. A man, who admits himself to be a participator in such a scheme, is to be watched with the greatest circumspection, and his evidence is to be most scrupulously weighed; but in this as in every other case, where it is impossible for you to get at the secret consultations and deliberations of the persons engaged, if the testimony of an accomplice cannot be received, the crime must go unpunished, for, if it is to be laid down that an accomplice is not a witness to prove the offence, complete indemnity is offered to persons forming such a scheme: they may go on as far as they please, knowing that if even their friends prove treacherous, they cannot be received as witnesses in a Court of Justice against them. Fortunately, however, for the administration of justice, that is not the law in this country, an accomplice is a competent and a credible witness, if his testimony receives confirmation; not confirmation as to every part of his story, for that would in most cases be impossible, and in all unnecessary, for if the law required confirmation of every part of the account of an accomplice, and such confirmation could be adduced, his testimony would not be requisite, the witnesses who could so confirm him, might themselves be examined. If, therefore, Gentlemen, you find the testimony of Adams supported in material points, if he relates facts to which other persons of undoubted veracity depose, then you will be justified, you will be bound to conclude that the whole of his account is true.

Now Gentlemen, let us see in what points Adams is

confirmed, and I will take you, although it may occupy a little of your time, through the different parts of his narrative, and shew you how he is supported. The first thing which he states to you is, that upon his coming out of prison and meeting again with Thistlewood and Brunt, he was carried to a room in Brunt's house, which had been hired by the prisoner Ings, for the purpose of their consultations, a circumstance which is proved by Eleanor Walker and Mary Rogers, who tell you that the room had been hired for the prisoner Ings, under the false pretence that he was going to occupy it as a residence, and it is also confirmed by Hale. Was that room used as a lodging for Ings? Did he ever occupy it as such, or carry any furniture there? Was not the only purpose for which that room was used that which Adams states, namely, for the consultations and deliberations of those persons who had this treasonable plan in view. In this, then, Adams is confirmed, but it is said it is an unimportant fact. What, is it unimportant to have it proved that persons have hired a room for the purpose of consulting, deliberating upon, and maturing plans of assassination and Treason? Have you not confirmation that it was taken under a false pretence? Is it even asserted by the prisoner, or by his learned counsel, that that room was not hired under the colour of being a lodging for Ings, but for the real and only purpose of planning and furthering the conspiracy charged by the indictment, and of preparing those instruments of destruction which you have seen produced in the course of this trial. Adams tells you that meetings were constantly held in that room, from the instant of his emerging from prison up to the 23d of February. He states to you that impatience having been expressed by these persons as to the accomplishment of their schemes, it was determined that on Wednesday something should be done; he informs you that Thistlewood had appointed a Committee to be held on the Sunday morning in the room adjoining Brunt's apartments, and that such committee met. Here then Adams is confirmed in a most material and important manner. He

says there was a larger meeting than usual on that morning, and Hale, the apprentice of Brunt, informs you that the assembly of Sunday was more numerous than any he had ever before observed in that room. What was done in that room? How were these conspirators employed there? Adams tells you that he saw some working upon the pike staves which have been produced to you, and others upon the grenades and fire-balls which have been exhibited. What does Hale state —that he frequently heard persons working there; that the sound of sawing was not unfrequent, and that he actually noticed in that room the ammunition they had prepared.

What is the next important point? a fact which it was impossible Adams could invent without the certainty of being contradicted if it was not true:—he says that on the morning of the 23d he went into Brunt's room, and saw there a man of the name of Strange, and another person whom he does not know, flinting, I think that was his expression, their pistols, and preparing their arms; how stands the confirmation upon that point? The apprentice boy, between whom and Adams there has been no concert, (for there could be none, as Adams has been in custody from within a day or two of the time of the meeting in Cato Street up to the present period.) Hale tells you that on that day he saw Strange and another man, whose name he does not know, getting ready their arms, preparatory to going to Cato Street. Who are the persons who attended at this room? Adams enumerates the names of several of the prisoners, and of others who are not indicted; he tells you that Thistlewood, Ings, Davidson, Brunt, Harrison, Bradburn, and Hall, used to attend there, and that in addition to them there were Potter, Palin, and Cook; it was proved by the apprentice boy that every one of those men were in the habit of frequenting this apartment. Is this, then, all invention on the part of Adams? No, he is confirmed by testimony that is unimpeached, and unimpeachable; for no endeavour has been made in the course of this trial to throw the slightest imputation on the character of Hale; no attempt in cross-examination to shake his

credit, or to induce you not to believe in the fullest degree the testimony he has given to the court.

But, Gentlemen, there is another most remarkable fact in which Adams is confirmed by Hale. Adams tells you that on the 23d, after they had met in the room hired by Ings, and before they set out for Cato Street, Thistlewood proposed to write a proclamation, which was to be exhibited upon the walls of the houses adjacent to those to which fire might be set, in order that it might be the better read by the populace. He required paper for that purpose, and Adams says that Thistlewood talked of getting such as newspapers are printed upon, but that on his suggesting cartridge-paper, Brunt was desired to procure six sheets. Gentlemen, would a man invent such a fact, not knowing who was sent for the paper, and being quite unconscious that he would be capable of confirmation. It is in evidence to you that Brunt went to his apprentice, Hale, desired him to procure the cartridge-paper, that it was procured and taken into the room. Hale, therefore, confirms him as to that fact. My learned friend, then adverted to the contents of the proclamation, and he argued under a mistake for some time that Monument might have confirmed Adams, whereas the evidence was that Monument was not in Brunt's house at all. Can you then, when you have these confirmations before you, say, upon the assertion of counsel only, yes, we will believe the paper was procured, but we do not believe that it was obtained for the purpose suggested, although the fact is sworn to by the same witness? and you are asked, because it is said part of this paper was found in the cupboard, to believe that the rest had been used for the making of cartridges, though you have not the slightest evidence that cartridges were at that time preparing; they were all procured before, and all the conspirators were then doing was accoutring themselves for the purpose of going to Cato Street.

Then, Gentlemen, what is the next fact? I should have introduced it before in point of order, and it is a most striking circumstance. It is proved that on the Tuesday

some alarm had been excited in consequence of Adams's communication that the landlord had informed him they had been suspected of holding improper meetings at the White Hart. You will recollect the agitation that prevailed amongst them upon that occasion; they were so bent upon their schemes that they could not brook the suspicion that their plan was likely to be known, still more were they offended by the attempt of an associate to damp the ardour of their adherents. In order to ascertain whether there was the least suspicion of them entertained by the Government, it was with great shrewdness proposed that a watch should be placed on Lord Harrowby's house, to commence at six o'clock, to continue till twelve, and to be again set at four in the morning, in order to ascertain whether any soldiers were introduced into that house, or any other in Grosvenor Square. Gentlemen, that is proved beyond the possibility of contradiction. Could Adams be aware of such confirmation? You have heard it flippantly (I do not use the word offensively) treated as a mere confirmation of a game of domino having been played. Gentlemen, it appears to me a most important confirmation; it is shewn that Davidson and another were first to watch, and that Tidd and Brunt were to relieve them. Tidd came to Brunt's house in Fox Court after some delay, and departed from thence in company with Brunt, for the purpose of taking their share of the duty in Grosvenor Square, but stated that there was a person whom he wished to see on that evening, a very important man, and that if he should be so fortunate as to meet with him, he should not be able to attend the watch. After a short time, Brunt returned, saying that Tidd had met the man, and that he could not watch, and Adams was selected to accompany Brunt. Gentlemen, it is established by the watchman, that a man of color was seen with another loitering about the Square. It is proved to you by Gillan, that on that evening he actually played with Brunt at dominos, in a public house in the neighbourhood. Then, Gentlemen, you have the fact of the watching confirmed beyond the possibility of doubt, and my learned friend

might as well argue that because Gillan did not hear them say that they were watching Lord Harrowby's house, there is no evidence of the purpose for which they went into Grosvenor Square on that night. Can you be brought to draw such a conclusion by such fallacious reasoning? At the time Adams gave the account, it was impossible for him to know that Gillan could be brought forward to confirm this part of his statement. I say then again this is a most remarkable confirmation of the circumstances which passed on the evening before the 23d, not less remarkable than the two confirmations of the events of that day to which I have already called your attention, namely, of their coming to prepare their arms at Brunt's room, and the sending for the cartridge paper by Thistlewood to prepare the proclamations.

Gentlemen, there is another material circumstance; Adams tells you, that Tidd's house was used as a depôt for the arms:—do you want testimony on the part of the Crown to prove it? If confirmation is required, you find it in the evidence of the unfortunate young woman who was called for the prisoner. She states that the box containing the cartridges and combustibles had been there a fortnight: let them have been carried there by whom they might, there they were for the purposes of this conspiracy; and a most remarkable fact she has introduced with which we were before unacquainted, that on the very morning of the 23d, some of the articles were removed from Tidd's premises by these persons; I leave you to say whether they were not removed from thence to Cato Street. Here, then, Adams is confirmed in a most important point, not only important as it respects the assassination, but when you come to consider the nature of the things that were prepared, you must be satisfied that the contents of that box were calculated for the execution of a plan embracing other objects beyond the destruction of His Majesty's ministers.

Gentlemen, another fact worthy of your attention is stated as to the proceedings of Tidd, on the evening of the 23d. It is proved by the apprentice Hale, that after

some of the conspirators had gone to Cato Street, Tidd called at Brunt's, and received a pike head and a sword, which he said he would take care of, and carry to the place where they were wanted. Monument and Adams tell you, that Tidd did not arrive at Cato Street till after the other conspirators; it is clear, from the testimony of Hale, that he did not set out from Fox Court till all the others were gone.

Gentlemen, there is another circumstance in which he is most materially supported, and supported beyond the power of contradiction, a fact which he has not invented, for it is spoken to by others, and confirmed by the seizure and production of the deadly instrument to which it relates. Adams has informed you, that the prisoner at the bar produced a large butcher's knife, and you will recollect the bloody purpose to which Ings stated it was to be applied: Adams remarked that it had wax-end round the handle, which the prisoner said had been placed there to enable him more firmly to grasp it, and to prevent its slipping from his hand. That very knife, be it recollected, is taken from Ings on the night of the 23d, and on his person afterwards was found the case to which it belonged, and in which he had most probably carried it. Gentlemen, are all these confirmations nothing? Do they not mainly corroborate the whole story told you by Adams? Do you not find his testimony supported in almost every particular in which it is capable of confirmation, and are you then to be told, when his evidence is thus strongly corroborated, that you are to believe him as to one part only of the conspiracy charged, namely the assassination of His Majesty's ministers, and that you are to dismiss from your consideration all he has sworn as to the ulterior objects of this nefarious scheme?

In addition to the knife, you have also a sword, particularly pointed out to you among the many found in Cato Street; that sword was carried by the prisoner, as long ago, I think, as Christmas last, to a shop in Drury Lane, for the purpose of being sharpened, and particular directions were given by him respecting it. Gentlemen, the

unfortunate man at the bar states, in the few sentences he has addressed to you in his defence, that he took that sword to the stable by the desire of another person; that it was not his own sword, but that Edwards gave it him, and that he carried it for him; although you have heard occasionally of Edwards, there is not the slightest proof that he was in Cato Street at all, but on the contrary, his presence there is negatived; this sword, therefore, must have been carried by some one of the persons who were in Cato Street. In addition to the sword and the knife, Adams speaks of two bags or haversacks, which Ings exhibited before he went from Fox Court; that he accoutred himself with them, and stated that the horrible purpose to which they were to be applied, was to carry off the heads of two of His Majesty's ministers from the massacre, in Grosvenor Square; the prisoner is actually found with those two bags suspended from his shoulders; but I am tiring you I am afraid, with the enumeration of these circumstances, but they will make good the assertion with which I set out, that you would find so much of confirmation before you, that it would be impossible for you to doubt the general accuracy of the account of Adams.

Gentlemen, I must trouble you with a remark or two on the interest Adams is said to have upon this occasion, and on which so much observation has been made. What possible interest, I appeal to every one of you, can he have in superadding if it did not exist, the ulterior purpose of overturning the government? Adams is apprehended—he states, there is a nefarious plot to assassinate the whole cabinet, sufficiently infamous as my learned friend admits—sufficiently horrible; what credit then is he to obtain by charging the conspirators with the further intention of destroying the existing order of things? His interest was all the other way—he had disclosed enough of infamy and guilt, when he had made known the plan of assassination. If the scheme originated in motives of private revenge entertained against the ministers individually, what object could he have in stating that it was a

mere step for the accomplishment of other projects? He had already heaped upon his own head, and that of each of his associates, a load of crime, sufficiently heavy to press them down; and what possible motive can be assigned for his encreasing their delinquency and his own by stating, that they intended to overthrow the government; the charge so far from giving a greater appearance of truth to his account, was calculated to diminish its credibility in proportion to the magnitude and atrocity of the crime imputed. I submit there is an absence of all interest in Adams, to make the offence of these men more heinous than it was, and that nothing can have induced him to implicate them to the extent he has, but a desire of disclosing the whole of the conspiracy, and making as ample atonement as is in his power to the offended laws of his country.

Gentlemen, while we are talking of private revenge against His Majesty's ministers, permit me to ask, if the gratification of that feeling was the only object these conspirators had in view, why was not the scheme which they originally purposed and approved, of assassinating the ministers at their own houses, persisted in? If the plan originated in hatred and animosity against the individuals, tell me, as reasonable men, what anxiety could they have to take off the whole of the cabinet at one blow, unless it was intended to carry into effect the overthrow of the state, by availing themselves of the confusion arising out of the destruction of all the executive ministers of the crown? Gentlemen, when you find by the concessions of my learned friends, (and they have made none which the necessity of the case has not forced upon them, they have admitted nothing it was possible for them in duty to the prisoner to deny), when the counsel for the accused are by the strength of the evidence, forced to allow that there was a conspiracy to murder His Majesty's ministers, and that the prisoners met in Cato Street, for that avowed purpose; I ask any man to assign even a plausible reason, why Adams, a participator in the guilt, should wish to add to the admitted enormity of their crime,

by charging them with intentions of a still more atrocious nature.

If then, Gentlemen, Adams has no interest to deceive you, and if you find him confirmed in the material parts of his narrative, what just reason can there be for refusing credit to the testimony he has given to the Court? But does the case rest upon the evidence of Adams; do my learned friends imagine, that you or that I have blotted out from our recollection, all that we have heard from the mouths of the other witnesses. Before I dismiss Adams, let me call your attention to Chambers, who is put into the box to contradict him. My learned friends, to whom the prisoner has confided his defence, examined Adams, as to whether he had called on this Chambers, and used certain expressions; Adams denies using the expressions imputed to him, and the gentleman who last addressed you says, he must admit that Chambers has been mixed up with bad company, by my friend Mr. Gurney, who cross-examined him—that undoubtedly he is a radical—that he has been carrying flags at different meetings—but that nothing beyond this can be brought against his character. Gentlemen, I remember (perhaps they have not escaped your memory) the very forcible observations which were made by the learned counsel who first addressed you on the part of the prisoner, adopting language supposed to have been used by the Solicitor General, in examining the testimony of a man, who had been stated to have had proposed to him by another, to make an abominable accusation against a third person, with the view of extorting money; my learned friend said, that the Solicitor General had remarked, that the man who could receive such an application, apparently assent to it, and not communicate it to a magistrate, was unworthy of credit, and the learned Gentleman applied that observation of the Solicitor General to some of the witnesses on the present occasion. Gentlemen, the counsel for the prisoner, not fully anticipating the evidence which Chambers would give, has by these observations cut up root and branch the testimony of that man. Chambers tells you unblushingly, that a

proposition was made to him by Adams, to join in a conspiracy to assassinate His Majesty's ministers, accompanied by expressions, which must have disgusted every man, who heard them, "that he would sup that night on blood and wine." Chambers lives within five minutes walk of Bow Street; but until he is produced before you as a witness, he buries the diabolical proposal in his own bosom; he associates still with his friends the radicals, and he never communicates the nefarious scheme to a magistrate, in order to put a stop to it, and bring to punishment its guilty projectors. Then what credit will you give to this man? If it be argued that a man who has been solicited to join with another to extort money from a third, by making a charge against him affecting his character, is unworthy of belief, if he conceals the fact; with what force does the observation apply to this most extraordinary witness! How it at once destroys his evidence! According to his own confession, when the proposition was made to him, he did not shew the least disapprobation of it; he exhibited no signs of horror whatever at receiving it from men, of whom according to his own account he knew little, and to whom he owed nothing on the score of friendship, that could have induced him to keep the communication secret; yet he never divulges it to a magistrate, or any human being, till he is called here to-day for the first time to make it public. Upon this miserable attempt at contradiction of Adams, I will not trouble you with another observation, as I think you will be of opinion, that the weight of credit is due to Adams, who denies the conversation, rather than to Chambers, who says it passed, and who has till this hour kept it a secret.

Gentlemen, the occurrence of Chambers to my recollection, carried away my mind from the witness, Monument. It has been said you should attend not only to the evidence, but to the manner in which it is given. In my opinion, no man ever gave his testimony in a more deliberate or solemn manner than Monument; he was not shaken in a single fact. What is his account?—that he had been introduced

to Thistlewood, by a man of the name of Ford, some few weeks before this affair, and that afterwards Thistlewood called upon him with Brunt. It is very material for you to *recollect* the conversation that *took place* between him and *Thistlewood* upon that *occasion*; the fact of Thistlewood coming and desiring a private interview with him is confirmed by the evidence of his brother, who says that he was at home at the time Thistlewood and Brunt called. It is broadly asserted that there was no Treason in this conspiracy; that nothing beyond an intention to assassinate His Majesty's ministers is proved. Be good enough to recollect what it was that Thistlewood said to Monument at that visit.—"Great events are at hand; the people are desirous of a change. I have been deceived by many persons, but now I have a number of men that will stand by me." Great events are at hand!—the people are desirous of a change! What events?—what change? The change of His Majesty's ministers? On that change, Gentlemen, you had observations offered to you that hardly became the gravity of this momentous enquiry: it was stated that to oppose His Majesty's government, and to endeavour to remove his ministers, was not Treason; that even for two privy counsellors to fight a duel was not Treason, and therefore it was argued seriously, that because men in a fair opposition to the measures of His Majesty's government might endeavour to displace his ministers, it is not Treason to remove them all by assassination. Great events are at hand, and the people are desirous of a change. Can you doubt that Thistlewood intended to convey to the mind of Monument that a great political blow would soon be struck, and a change in the form of government effected? If not, what did he mean by saying that he had now people that would stand by him, although he had been deceived before? What had that to do with the removal of His Majesty's ministers, by fair means? Nothing, Gentlemen, nothing. It proves, most satisfactorily, the guilty purpose which was at that time lurking in the minds of Thistlewood and his misguided adherents.

What does Monument prove more? He tells you that

when he arrived in Cato Street, apprehensions were expressed as to the numbers there assembled being capable of accomplishing all the schemes the prisoners had in view. Thistlewood told them they were not to be alarmed, that there were men enough to go to Lord Harrowby's, and that there were other parties—for what purpose?—not to go to Lord Harrowby's, that is not pretended. Thistlewood alluded to parties who were to meet in other parts of the town. This declaration, coupled with facts to which I shall by and by advert, I mean their preparations, shews, beyond all doubt, to the mind of every reasonable man, that their great plan was the overturn of government, however inefficient the means for that object, and that the removal of His Majesty's ministers was only the first step in the march of destruction. Monument is untouched in his character, by any thing that has appeared before you, except so far as his going to Cato Street, and his apparent adoption of their schemes affects him; his private conduct is unimpeached, his evidence is uncontradicted.

Then, Gentlemen, there is another witness of still greater credit, at least I think you will consider him so, I mean the witness Hiden; his testimony, joined to the meeting in Cato Street, proves this Treason. Let us examine what Hiden's conduct and character have been: you have heard motives imputed, you have had interests suggested which might operate upon the minds of other witnesses, let me ask you fairly, what motive can you assign to a man's disclosing a circumstance, as Hiden did, before it took place? Why should he impart the mere expectation of a meeting in Cato Street, if no meeting had been intended? Is there any charge against Hiden? Had he any sinister end to serve by the disclosure? Gentlemen, I must confess, I felt some little indignation while the comments were making by my learned friend on this man's testimony; he said Lord Harrowby was a very respectable character, a very worthy man, but still he insinuated to you that money had either been offered——

Mr. Adolphus. God forbid, Mr. Attorney General. I did not, indeed. I never meant to insinuate any such

thing. I said that gratitude would naturally impel my Lord Harrowby to do something for the man who had done this to save his life, but that of course nothing would be done till after the trial, and that the recollection would remain upon his mind to the close of his days.

Mr. Attorney General. Gentlemen, I am extremely glad of the interruption; then my learned friend's remark points only to what may have been passing in the mind of Lord Harrowby; he may treat my observation in the manner he thinks it deserves, but I must put you in mind that there is no question asked of the witness as to any expectation of reward in a pecuniary, or any other manner. Then if he had formed no such hope, why is the effect of it imputed to him? Is it intended to detract from the credit of Lord Harrowby, or of the witness? With respect to Lord Harrowby, it is completely disavowed; it is distinctly admitted that he has not given Hiden money for that which he has done; it is said he must feel gratitude for the preservation of which the witness has been the means, but that no pecuniary reward has been bestowed. What then do you find operating upon the mind of Hiden, when he makes the communication?—at that time there was no charge existing against him, nothing has appeared in the evidence to fix upon him any acquiescence in the communicated plan; he stands before you, not as an accomplice, not as a person lending himself to the wicked schemes of these conspirators, not as a man acting from pecuniary or other improper motives; he comes before you as an individual to whom the plot had been divulged by Wilson, and who feeling it to be his bounden duty to make it known, gives information of it by means of a letter, which he delivers to Lord Harrowby, requesting that nobleman to put it into the hands of Lord Castlereagh, to whom it was directed.

But see, Gentlemen, how this disclosure affects the testimony of Hiden in another view. He must have been a prophet if it was not true; how did it happen to be verified, by the transaction on the following night in Cato Street? Had he been in Fox Court? Had he ever

seen any of the preparations? No, Gentlemen, the only knowledge he had gained was by the communication of Wilson, and yet he imparts before hand events which take place. Then, Gentlemen, is there no evidence from Hiden of the ulterior purpose of this plot?—does he tell you that it was confined to the assassination of His Majesty's ministers? "He asked me to join their party; I asked for what,"—he said, "to be one of a number who were going to meet to destroy His Majesty's ministers at a cabinet dinner; that they had got all ready, and were waiting for a cabinet dinner; that they had some things, such as I never saw; that some of them were made of turpentine, and some bound round with cords, and some made with tin, and their strength was such, that if set fire to they would heave up the wall in front of the houses opposite to us;" he said, "that it was intended to set fire to several houses;" he mentioned some, "Lord Harrowby's, the Duke of Wellington's, Lord Sidmouth's, Lord Castlereagh's, the Bishop of London's, and one more which I do not remember." For what were these houses to be set fire to after His Majesty's ministers were destroyed? If revenge was the object of the assassins, that would have been attained by the horrible murder of the illustrious persons assembled at Lord Harrowby's; but it does not rest there, and I feel it to be proper to call your particular attention to what Wilson further told Hiden upon that occasion:—"Things," he said, "were to be thrown into the room where the ministers were sitting, and all that escaped the explosion were to die by the sword, and that by lighting the fires it would keep the town in a state of confusion, and in a few days it would become general." There, Gentlemen, you have the key-stone to the whole of the object they had in view; inefficient as their means, wild as their scheme, visionary as their purpose may appear to you, sitting here soberly and calmly to consider them, these conspirators viewed them with very different eyes; they vainly imagined that such a blow being struck, the discontented people, (as Thistlewood had represented them to be) would join them with an over-

whelming force, and enable them to destroy the existing government, and erect another upon its ruins. Gentlemen, I say, therefore, that this communication of Wilson to Hiden, coupled with the other facts in the case, proves, beyond all question, the plot they had in contemplation.

But see how the conversations Wilson held with Hiden, confirm Adams also: you will find that after there was a further communication between them on the afternoon of the meeting in Cato Street. Wilson said to him "you are the very man I want." Hiden asked what is there going to be—Wilson said, "there is going to be a Cabinet dinner to-night at Lord Harrowby's, in Grosvenor Square, and I was to be sure to come—I asked where I should come—he said I was to come up to John Street, to the Horse and Groom, or to stand at the corner of Cato Street, till I was shoved into a stable. I asked him how many there were to be, he said there were four divisions, one in Gray's-Inn Lane, one in the Borough, and one in the city, or Gee's Court, besides that in Cato Street—he said Gee's Court was all in it, but they would not move till the English had begun—he said after they had been at Grosvenor Square, they meant to retreat to some where about the Mansion House, that was where all parties were to meet;" now you will recollect that Adams tells you their plan was to get possession of the Mansion House, and make it the seat of the provisional government; he is confirmed in this by Hiden, not one of the conspirators—"he said also there were places where they could take the cannon, four pieces in some artillery ground, by killing the sentry, and two pieces in Gray's-Inn Lane, which could easily be got at, by knocking in some door."

Gentlemen, it is argued before you with great force, and with considerable ingenuity and eloquence, that Adams's testimony cannot be believed, because this story of taking the cannon in Gray's-Inn Lane, and at the Artillery Ground, is incredible, and therefore the whole must be the invention of Adams, and Adams alone, but you will find other persons did not consider it so visionary—Wilson not only mentioned the plan to Adams; but mentioned it

with apparent confidence in its practicability. Thus is the existence of the general plot confirmed, and the testimony of Adams himself in a very material point supported.

Gentlemen, an attempt was made on the cross-examination, to shake the credit of Hiden, by an enquiry into his place of residence, and into what he was going about on the evening of the 23d; and my learned friend has gravely insisted, that because he asked him where he lived, and he answered in Manchester Mews, Manchester Square, and it turned out that no longer ago than last Saturday he was taken in execution for debt, and therefore came up in custody of an officer, the first answer was false, although he left his wife and family in Manchester Mews. Gentlemen, if such a misfortune should happen to any of you as the being taken to prison for debt, and three days after you were asked where your residence was, would you think you told a falsehood, if you had said my residence is in Manchester Mews, or wherever it may be? Gentlemen, the man had just been removed from his house, he was brought up in custody, he could not have meant by that answer to deceive any person, because he knew that a habeas corpus had been issued to bring him here, and that he could not appear but in the custody of an officer, and yet for want of other materials you were seriously addressed upon this topic by one of my learned friends at great length, and asked to disbelieve the testimony of Hiden.

But Gentlemen, he was also cross-examined as to a family in Princes Street, Cavendish Square, which he had served for three years, and I cannot forget that the witness was loudly told to be accurate in what he said, because enquiries would be made to see whether he told truth or not. Many hours have now passed over our heads since Hiden was examined—ample opportunity has been afforded to the prisoner at the Bar to discover whether that fact was true or false, but no witness has been produced to you to shew that he was incorrect in any part of his testimony. Hiden then stands uncontradicted,—he is a man against whom there is no imputation of previous bad conduct of

any description, he answered most willingly every enquiry respecting the persons with whom he has lived as servant, to whom access therefore might have been had, if any thing could be found against him; it was not last night that the prisoner knew for the first time that Hiden was to be a witness, for by the lenity of our law, as my learned friends know, he has had for nearly a month in his possession a list of all the witnesses who could be produced against him, their places of residence, and their business or occupations, so that he can have no excuse to make that he is taken by surprize, and is not therefore prepared to investigate the character of the witness.

My learned friend made some observations on the list of witnesses, that the number is very great, and therefore, the difficulty they had in considering who was to be called in this or that particular case, was great also, this, Gentlemen, is said to induce you to suppose, that the prisoner has been subjected to hardship. Between forty and fifty of those witnesses are either police officers, wardens of the Tower, or police magistrates, whose testimony has not, but might have been wanted, and whose names, therefore, the Crown were obliged to insert, for this reason, that if the name of a witness is not in the list he cannot be examined against the prisoner. We were not only obliged to put in those, who were known to be acquainted with the facts; but those also who, by the remotest possibility, could be necessary to be produced before you. I believe, therefore, every warder of the Tower is in that list, from the apprehension, that something might occur after the prisoners were in custody, that it might be material to give in evidence: all the police officers, all the soldiers, who were in Cato Street, only two of whom have been called, are included in it, and therefore the complaint which has been made, appears to me to be one, which, after this explanation, you will think without foundation. They knew as well as we did who the material witnesses were likely to be, and had an opportunity of discovering every thing that could be brought forward against this or that particular witness.

Gentlemen, I have now observed, upon the testimony of Adams, Monument and Hiden—I do not trouble you with going over the various points of confirmation, but I beg to call your attention to what took place at Cato Street, and to the materials collected there, with a view to shew the ultimate objects of this plot. It is admitted that one part of the plan was to assassinate His Majesty's ministers, what were the instruments provided? Were they only adequate to that purpose, or were they not evidently designed for a larger and more extensive scheme? I know not how many hand grenades were found, you have seen them, and had one of them opened, and you have heard the effects likely to be produced by their explosion. Gentlemen, to the work of assassination, many of the instruments which lie on the table are well adapted, I mean the guns, the pistols, and the swords. But were pikes requisite, or were they not rather designed for operations in the streets? A pike in a room is of little utility, and when you see the length of their handles, and the number of them, many more than were necessary for the party assembled in Cato Street, I think you will agree with me they could be prepared for no other purpose, but to be used in the open air. But Gentlemen, 1200 round of ball cartridges have been shewn to you, 965 in the box, and between 200 and 300 found in a bag at Tidd's house—were those designed merely for the assassination of His Majesty's ministers—can you entertain a doubt that they were intended for more extensive destruction. There is another part of the preparations which hardly requires a remark to satisfy you, it was meant for other objects; you have seen the flannel bags and their contents, and it is in evidence that they are cartridges for cannon, and are made to be used in six-pounders. Were there to be any cannon at Lord Harrowby's? No—How then were these cartridges to be applied? The answer is obvious,—Wilson communicated to Hiden that cannon were to be taken at the Light Horse Volunteers riding school, in Gray's-Inn Lane, and at the Artillery Ground, for those cannon these cartridges were intended; no reasonable

man can doubt it; some of them were found at Tidd's, and some at Brunt's, none in Cato Street—is it not then evident that they were designed for the accomplishment of other deeds of blood, after these conspirators had perpetrated the assassination in Grosvenor Square.

Were no other persons engaged in this plan than those who assembled in Cato Street? Recollect, Gentlemen, Hale says, that after the party was gone to Cato Street, he was directed to carry any persons that called at Brunt's, to the White Hart, in Brooks Market; Potter and others, did call, for what purpose? They were not going to Cato Street; they were not of the party to attack Lord Harrowby's. The expression of Brunt, when he returned to his house in the evening, confirms the apprentice. We will go out—all is not over—something is yet to be done. What was to be done? They had been defeated in the plan of assassinating His Majesty's Ministers; that something was expected to be effected by those persons spoken of by Wilson to Hiden, of whom Palin and Potter were two. My learned friend thought he had a triumphant argument, from the absence of Palin; but I think it operates against the prisoner at the bar; he says, it appears that a reward has been offered for Palin's apprehension, and asks therefore how he can produce him on this occasion; he tells you Palin has absconded—absconded for what—is he a participator in the plot at Cato Street? Was he at Cato Street? Gentlemen, he has absconded, because he knows there were other purposes in view, traiterous and treasonable, in which he is deeply implicated; that is the reason why he is not forth coming to-day.

How does this apply to Hall, Cook, Harris, Potter, and others, whom Adams has mentioned. Hall might be produced, my learned friends do not bring him forward; and their argument is this, Adams's story is a fiction, these persons were not there, or if they were there, what he states to have passed did not take place. Gentlemen, if they were not there they might be called to prove that fact, it could not hurt them; all of them would be able to contradict Adams, and satisfy you that what he has

sworn is false; what is the plain inference from this? that they were there; and if they were as Adams has stated what occurred on several occasions, they might be made witnesses to contradict him. I say, the absence of those men confirms beyond the possibility of doubt, the testimony of Adams.

Then, Gentlemen, if this be so how stands the case before you in point of proof? The fact of their meeting in Cato Street, the preparations which are made, the intention to assassinate His Majesty's ministers, are not only proved, but not denied by the prisoner at the bar. What object had these men in the assassination of His Majesty's ministers, if it was not to be followed up by other acts. You have it in evidence from Hiden, you have it in evidence from Monument, the fact itself, the *evidentia rei* shews, they had in their minds that ulterior purpose, which we charge, and which is the only question you have to try on this occasion. Do not be deceived by any arguments which you have heard, that you are to consider whether the plan could be effected—whether the means were adequate to the end—whether it was not wild and visionary—to you and me considering the case calmly, it may appear to be so; it was wild, it was visionary, my learned friend says, unequalled in folly, in the history of this country or any other; and he challenged me to produce before you Despards's case as a parallel, and commented at great length upon the facts of it; and you will recollect that Thistlewood, one of the party, had that plot in his mind, even in Cato Street; for he said, when complaint was made of their want of force, "that if they did not proceed then it would be a Despard's job." Gentlemen, the plan of Despard was quite as wild and quite as visionary as the present. Part of his scheme was to assassinate the King, part of this, was to assassinate the ministers. Despard thought he could take the Tower and the Bank, with means less effectual than those exhibited on this occasion; he had a few men, but where were his preparations? Had he hand-grenades—had he pistols—had he pikes—had he ball cartridges—had he all those implements which had been

produced to you, he imagined that with twenty men he could take possession of the large cannon in the Park, and fire it at His Majesty as he was going to Parliament, and that they might afterwards make themselves masters of the Tower, and establish a provisional government. My learned friend says, he might have taken possession of the cannon in the Park, and have murdered His Majesty, and I say here with respect to the assassination of His Majesty's ministers, it appears to me that was not difficult of execution, and would probably have been carried into effect. I will not describe to you what has been so well pictured by my friend the Solicitor General; I only ask you to conceive what would have been the confusion and terror through the metropolis, if they had been able to accomplish that and some other parts of their plan; if in the dead of the night, the inhabitants of this great city had been alarmed by fires in various places, by the report that His Majesty's ministers had been destroyed in Grosvenor Square, and that there were parties in arms roving over the town. It is not at all impossible, that for a few hours the conspirators might actually have been in possession of London; there was nothing visionary in the primary objects of their plot; the destruction of the ministers, the firing of houses, were both practicable, I admit the rest of their scheme could not have been carried into effect, nor could Despard's; they were to a certain extent, both equally wild. If my learned friends cite instances, I cite Despard's case as one, in which similar plans had been conceived, and similar intentions manifested; and for which that unfortunate man suffered on the scaffold.

Then, Gentlemen, do not be led away by the notion, that because the conspiracy appears wild or visionary, you are to dismiss it from your consideration; the question is not, whether its objects could have been effected, but whether they were contemplated by the prisoner at the bar, and his associates.

Gentlemen, with respect to the facts as they affect the the prisoner, I will not go over them particularly; you find him at their various meetings; you find him using

expressions at those meetings, indicating his intentions; but, above all, you find him finally at Cato Street:—he says he went there innocently; you will recollect the manner in which he was accoutred,—he had two straps over his shoulders, from which hung two haversacks; he had a belt round his waist, in which were a brace of pistols; he had this knife, for no doubt can be entertained that he was the man who had the knife, his own defence has admitted it; he was by the step-ladder which ascended to the loft above; he was there first seized by the officer, who took from him the knife, and, I think, the sword; he then escaped from the stable; he is pursued; you remember the violent resistance he made; this man, who would have you believe he was innocent of any improper object, or any improper purpose, actually discharges a pistol at the officer, and on being interrogated by that officer, why he fired at him, he exclaimed, with brutal ferocity, that he wished he had shot him dead.

Then, Gentlemen, the cloth case of the knife is actually found on his person, it has been fitted to the knife, as you have seen, and that case is actually made of the same materials of which the belt round his waist was composed of; then you have him from the commencement of the plot to the close, active in the promotion of this design. I do not trouble you at present, nor will I, with the various expressions he used, the savage exultation he displayed when they found the Cabinet dinner was to take place, or his determination to mutilate some of the ministers, and expose their mangled limbs to the populace. But I must beg you to recollect that in Cato Street, Davidson was taken: and if any thing were wanting to shew the designs of these conspirators, you have it in Davidson's expression —"Who would not die in liberty's cause." Then the cause in which they were embarked was one for procuring liberty by the overthrow of the country in which we live; here is a declaration of one of the party as to the object of their plot.

This being the case, and these the questions for your consideration, I leave with perfect confidence to you the

verdict you have to pronounce. I do assure you, Gentlemen, unfeignedly, that my only anxiety has been that the case should be presented to you fairly, and with such observation on my part as my duty as a servant of the public calls on me to make in answer to those offered to you on the part of the prisoner. Gentlemen, the constitution of the country has wisely placed in your breasts the ultimate determination of this question. It has been represented to you, and truly, by my learned friend who last addressed you, that it is a case of very great importance. Undoubtedly, it is so, but there is nothing so important as the due administration of justice; if the charge has failed in your estimation, in proof,—if you entertain a reasonable doubt of the guilt of the unhappy man at the bar, (but let it be recollected, it must be a reasonable doubt) then the merciful inclination of our laws will require that you should acquit the prisoner. But if the facts and the testimony by which they have been proved clearly satify your minds that the charge has been substantiated, that the designs which I have stated to you were harboured in that man's bosom, and that he acted with others in the furtherance and completion of them, as the witnesses have told you, then, important as the case is, as it regards the prisoner, it becomes infinitely more important as it affects the public, and it will be your bounden duty to find him guilty. That you will decide uprightly and honestly, no man who has seen your attention and desire to scrutinize and weigh this case, can doubt.

END OF THE FIRST VOLUME.

H. TEAPE, PRINTER, TOWER HILL, LONDON.